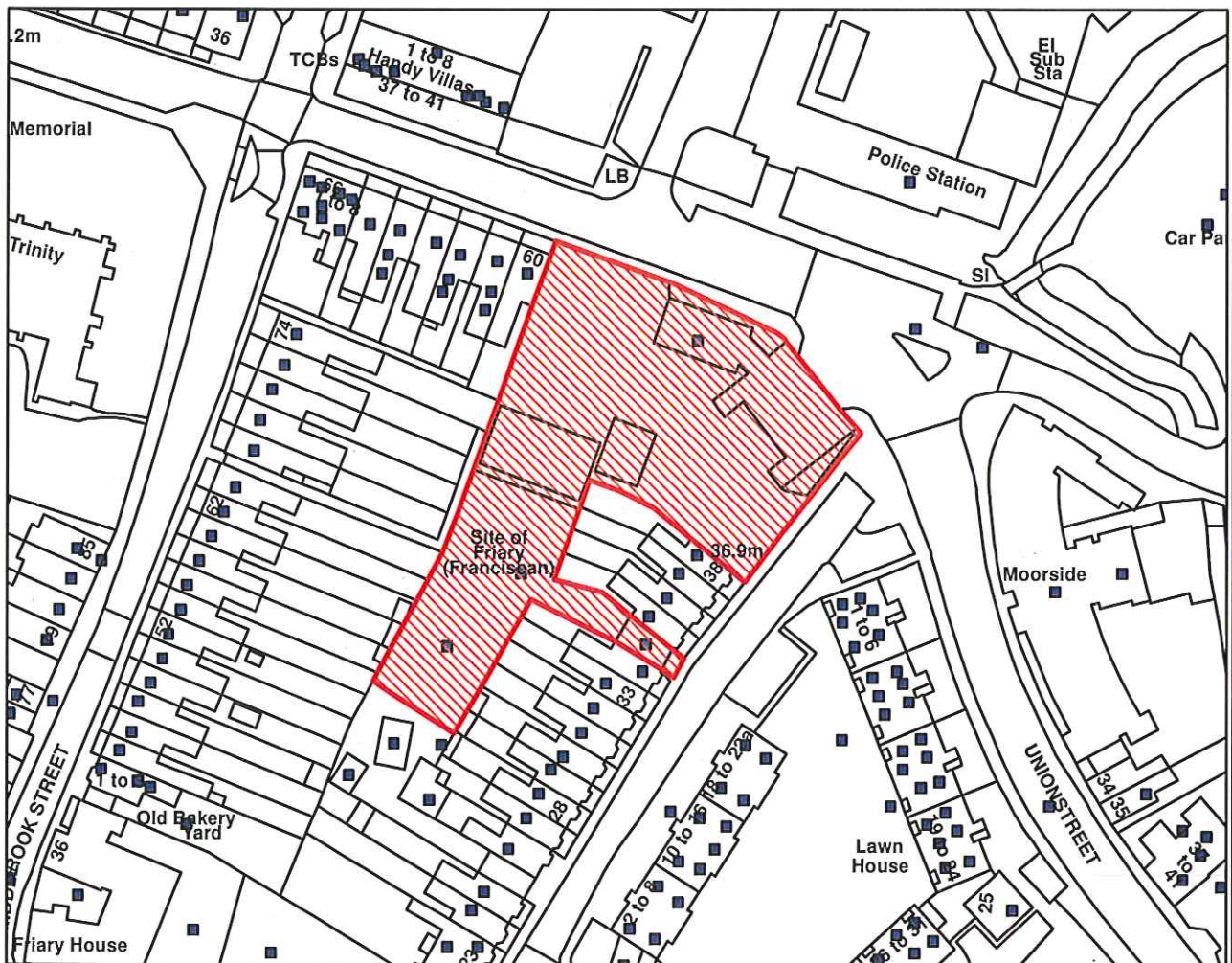




14/00227/FUL



## Legend

Scale: 0 0.01 0.02 0.04 KM

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Organisation	Winchester City Council
Department	Winchester GIS
Comments	
Date	20/05/2014
MSA Number	100019531

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Item No:** 1  
**Case No:** 14/00227/FUL / W06400/11  
**Proposal Description:** Demolition of existing building(s) and redevelopment comprising 6no. four bedroom dwellings, 6no. three bedroom dwellings and 4no. two bedroom dwellings with associated parking, bicycle store, garden sheds, landscaping and access via Lower Brook Street  
**Address:** Hampshire Fire And Rescue Fire Station And Premises North Walls Winchester Hampshire  
**Parish, or Ward if within Winchester City:** St Bartholomew  
**Applicants Name:** Bargate Homes Ltd  
**Case Officer:** Andrea Swain  
**Date Valid:** 28 January 2014  
**Site Factors:** Winchester Conservation Area  
**Recommendation:** Application permitted subject to the receipt of a satisfactory Landscape Strategy and subject to the acceptance by the Head of Estates of the conclusions of the Viability Report.

**General Comments**

This application is reported to Committee because part of the land (Faberlux Yard) is owned by Winchester City Council.

This is a revised application following the withdrawal of application reference 11/02637/FUL. That application proposed to demolish all the buildings on the 0.2 hectare site and redevelop with a combination of three and (predominantly) four storey buildings containing 17 two-bedroom and 30 one-bedroom flats. The new buildings would have been disposed around the perimeter of the site on North Walls and Lower Brook Street, with a rear, south-facing courtyard containing parking accessed from Lower Brook Street through an opening in the street elevation. Materials would have been variously brick, render, and vertical metal cladding, with slate and sheet metal roofs. Twenty car parking spaces were to be provided to the rear of the building. Had that application been determined, it would have been refused for the following reasons:

1. It is considered that the proposed development, by reason of its height, form, overall massing, articulation, materials and detailing, does not respect its context and will significantly detract from the character of the conservation area and appear incongruous in its townscape setting. As such the proposal is contrary to policies DP3 and HE5 of the Winchester District Local Plan Review (WDLPR) and the advice contained in PPS1 and PPS3.
2. The proposed building represents an overdevelopment of the site with insufficient space for amenity areas for the future occupants, and areas for landscaping and replacement planting. As such the proposal is contrary to policies DP4 and DP5 of the WDLPR and the advice contained in PPS1 and PPS3.
3. No evidence has been put forward in the application to indicate that any attempt has been made to assess the existing building for re-use, or to conclusively demonstrate that such a conversion would not be possible. The existing fire station building makes a



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positive contribution to the character, appearance and historic interest of the area and is considered a heritage asset. Its loss would be contrary to policy HE7 of the WDLPR and the advice contained in PPS5.

4. Insufficient information has been submitted with the application with regard to the type and tenure, location, design and delivery of the affordable housing. Furthermore the split in property types is not reflective of the market mix and is too greatly loaded towards 1 bedroom accommodation. As such the proposal is contrary to policy H5 of the WDLPR and the advice contained in PPS3.

5. Adequate provision cannot be made on the site for the parking of bicycles in a satisfactory manner, contrary to policy T4 of the WDLPR and the advice contained in PPG13.

6. There are no adequate facilities to enable a refuse vehicle to turn on the site and so enter the highway in a forward gear which is considered essential in the interests of road safety. This is contrary to policy T2 of the WDLPR and the advice contained in PPG13.

7. North Walls / Durngate junction is unsuitable in its present condition to take the type and amount of traffic likely to be generated by the proposal. As such the proposal is contrary to policy T2 of the WDLPR and the advice contained in PPG13.

8. The application site lies within Flood Zones 2 and 3, defined by Planning Policy Statement 25 (PPS25): Development and Flood Risk as having a medium and high probability of flooding respectively. Paragraph D5 of PPS25 requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a 'Sequential Test'. In this instance no evidence has been provided to indicate that this test has been carried out to demonstrate that there are no reasonably available alternative sites in areas with a lower probability of flooding that would be appropriate for the type of development proposed.

9. No information has been submitted with the application to demonstrate that an assessment of noise has been conducted, and the site lies in an area with high potential for noise pollution, as detailed in Annex 1 of PPG 24 (Planning and Noise).

10. The proposed development is within Winchester's Air Quality Management Area (AQMA). The development includes living accommodation in close proximity to one of the City centre roads known to fail the Nitrogen dioxide annual mean air quality objective. No assessment has been carried out to determine whether this is acceptable, contrary to the requirements of policy DP12 of the WDLPR.

11. The proposal involves a use that would be particularly vulnerable to the presence of contamination on the site and an appropriate contamination assessment has not been submitted as part of the application process. In the absence of such information, the application is contrary to policy DP13 of the WDLPR and the advice contained in PPG23.

12. Although there is known archaeology surviving on the site, further evaluation work to find out the overall depth and nature of the surviving archaeology has not been carried out. In the absence of further survey work, the proposal is contrary to policies



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HE1 and HE2 of the WDLPR and the advice contained in PPS5.

13. The proposal is contrary to policy NRM11 of the South East Plan which requires developments of 10 or more dwellings to secure a least 10% of their energy from decentralised and renewable or low carbon sources.

14. The proposal is contrary to policy RT4 of the Winchester District Local Plan in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.

15. The proposal is contrary to Policy DP.9 of the Winchester District Local Plan Review in that it fails to make adequate provision for improvements to transport and the highway network in accordance with Hampshire County Council's Transport Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and burden imposed on the existing network arising from this development.

This application seeks to overcome the previous concerns and the proposal has been fundamentally revised.

This revised proposal includes an additional area of land to the rear of Lower Brook Street, formerly known as Faberlux Yard and in the ownership of Winchester City Council. Notwithstanding the larger site area of 0.27 hectares, the density of the scheme has been dramatically reduced to provide 6no. four bedroom dwellings, 6no. three bedroom dwellings and 4no. two bedroom dwellings with 16 parking spaces, bicycle store, garden sheds, landscaping and access via Lower Brook Street.

Following receipt of the Design Review Panel comments, amended plans have been received which show some minor design amendments including:

- \* The addition of porch features to the side elevation of the dwellings at plots 6 and 7;
- \* The addition of four number high level windows within the side elevations of plots 14 and 15;
- \* A wider dormer cheek detail within the windows serving the dwellings at Plots 1-6, 7&9 and 10-12.

### Site Description

The present buildings are located within the Winchester Conservation Area, on its northern edge in the character area (described in the 2003 Conservation Area Project appraisal) known as '*Central Winchester: the walled town*', which includes much of the commercial heart of the City, and the extensive County Council offices at the top of the High Street.

The present fire station dates from the mid-C20, and appears to correspond (map evidence cited in the submitted Heritage Statement) with the passing of the Fire Brigades Act 1938, which made it compulsory for local authorities to provide adequate fire services. In 1941 the Government created the National Fire Service to unify fire fighting throughout the country, leading to new national standards and greater compatibility in equipment. In 1948 fire-fighting services were returned to local authority control and 148 borough and county council-run fire brigades were established.



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The principal building of the former fire station, housing the fire tenders, with accommodation above, is located on the northern boundary of the site to North Walls, with a linked smaller-scale building (the former Fire Service Management building) alongside to the west, the latter being of a later date (information in the submitted Heritage Statement). The principal building is a well-built and carefully designed composition, in high quality materials, of two storeys plus an attic storey in red brick (Flemish bond) with a steeply pitched tiled roof with dormer windows. The style is Neo-Georgian (with broad stylistic similarities to the extensive County Council offices in the city – which are listed grade II) and the building has good detailing with a heavy modillion cornice beneath overhanging eaves, and multi-paned sash windows of Georgian style beneath cambered arches, those on the front elevation alongside the large station doors being of a larger scale than those on the flank and rear elevations, which adjoin the domestically-scaled early C20 terraced houses in Lower and Middle Brook Streets, and to the west on North Walls.

To the rear of the site is an open yard, and two large single storey buildings (appearing as portal frames, clad in brick), as well as the multi-storey fire practice tower, which is of a pre-fabricated steelwork form. The rear of the site has an essentially open character, with diagonal views across to North Walls from Lower Brook Street, and views into the site from North Walls and Durngate. The yard is accessed via the northern end of Lower Brook Street. The fire engines previously took access direct onto North Walls.

Listed buildings in the vicinity are the short terrace of early-mid 19<sup>th</sup> century houses on the north side of North Walls (Nos. 37- 41) and Holy Trinity Church, between Middle and Upper Brook Streets, by Henry Woodyer, all listed grade II.

Opposite the site, to the north, is the Police Station, a two storey 1960s building. To the immediate west is two storey terraced Victorian housing fronting onto North Walls. There are two mature trees between the boundary of the site and the gardens of these properties. To the east, the site fronts onto Lower Brook Street. Opposite, to the east, is a two and a half storey residential building which has a four storey projection on the corner of Union Street and Durngate known as the Moorside Building. To the south are the gardens of the terraced Victorian properties in Lower Brook Street. To the south of the fire station site (rear) there is a piece of derelict land known as Faberlux Yard, which is sandwiched between the gardens of the houses in Lower Brook Street and the gardens of the houses in Upper Brook Street. This area of land has now been included within the site and is currently accessed via Lower Brook Street through an under-croft arrangement below an existing first floor flat.

The area is predominantly residential in character, the character changing to the north where the police station backs onto the University of Southampton School of Art and Winnall Moors.

## **Proposal**

It is proposed to extend the Victorian terrace along North Walls with a terrace of 6 traditional terraced houses with four bedrooms arranged over two and a half stories. These have bay windows, similar to those further up the street. To the front of the houses are metal railings and gates. The corner building is on the footprint of the existing fire station and is subdivided into three houses each with 3 bedrooms arranged over two and a half stories (plot 7) and three stories (plot 8) . The corner house is designed to be



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taller at three and a half stories to form a focal point with its entrance from Lower Brook Street. There is a terrace of three two and a half storey three bedroom houses in Lower Brook Street with railings to the front above front garden walls. Access is taken to the side of this terrace from Lower Brook Street to a parking area behind for 16 cars and a cycle shed for 24 bikes. To the rear of the existing dwellings on Lower Brook Street are two single storey buildings which provide a two bedroom bungalow and a pair of semi-detached two bedroom bungalows. These have been designed in a more contemporary manner. The former under-croft access to Faberlux yard has been infilled with a two bedroom, two storey middle terrace building to match the existing Victorian terrace. All the dwellings have rear gardens and plots 1 – 6 and 10 – 12 have added conservatories to benefit from the south and south west aspect. Each dwelling has an allocated parking space and bin storage is accounted for within the rear gardens of each dwelling with a single collection point identified in proximity of the access point.

### **Relevant Planning History**

11/02637/FUL - Demolition of existing buildings and structures and replace with a development of 17 no. two bedroom and 30 no. one bedroom apartments (28 open market and 19 affordable housing) with associated parking, access and landscaping. Application withdrawn - 22nd March 2012.

### **Consultations**

#### Engineers: Drainage:

Before any consent is given the Local Planning Authority must be satisfied that the provision of 16 dwellings in an area of known flood risk is of benefit to the community or if this density of accommodation would be better located elsewhere. If consent for this development is granted then the observations regarding the Exception Test and the Conditions contained in the EA correspondence dated 4th March 2014 must be applied. (Condition numbers 13, 14, and 15).

#### Engineers: Highways:

The new turning head will improve reversing manoeuvres for service vehicles. Satisfactory number of parking spaces provided given town centre location. No off site works required given reduction in number of dwellings. Conditional Permission. (Condition numbers 9, 10, 11, 12 and 17).

#### Head of Historic Environment:

The existing building makes a positive contribution to the character and appearance of the Conservation Area however it was not specifically identified in the Winchester Conservation Area Project (2003) as an important building. In this context, the loss of the existing building is considered to amount to 'less than substantial harm', as set out in the NPPF. On balance, and subject to detail, the proposed scheme is considered to offer an enhancement of this part of the conservation area. Conditional Permission. (Condition numbers 2, 3 and 4).

#### Archaeology Officer

A further stage of archaeological investigations is due to be carried out. The method statement and written scheme of investigation are satisfactory. Conditional Permission. (Condition numbers 19, 20 and 21).



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Head of Landscape:

(Original Plans) Trees in or adjacent to plots 9, 10, 13 and 15 are likely to have pressure to be removed by future residents due to shading in small gardens. Trees in parking bays 3 and 6 are likely to be damaged by opening car doors. Suggest relocation of footpaths in garden areas to the side of each plot to maximise grass areas. Grassed areas to the front of properties are unlikely to take given north facing aspect. Suggest simple permeable gravel frontages behind the walls and railings. Small narrow pockets of greenery are unlikely to be large enough to be sustained. The landscape strategy proposed is not feasible due to restrictions of layout and lack of space. A revised layout which includes a simple landscaping scheme with a high quality boundary treatment to include walls and railings should be submitted. (Amended Plans) Conditional Permission. (Condition numbers 5 and 6).

Head of Landscape (Trees):

Conditional Permission. (Condition numbers 7 and 8).

Head of Strategic Planning:

The mix of 2, 3 and 4 bed is acceptable but the applicants need a very strong justification for not having on site affordable houses.

Head of Estates:

Following consultation with an External Valuer it has been established that there will be a surplus of £129,440. However the development appraisal did not include details of the cost required to meet the requirement of policy CP.11 with regard to achieving Code for Sustainable Homes Level 4 for Water and Code Level 5 for water. It has been advised that this will cost approx. £130,000 and therefore the development cannot viably afford to contribute towards affordable housing.

Environment Agency:

No objection to principle of findings of the Flood Risk Assessment but require further details by way of planning condition numbers 13 and 14. Opportunity should be taken to upgrade drainage by way of planning condition number 15.

Ecology Officer

The Ecology Report makes a number of appropriate recommendations in order to avoid impacts on protected species and provide biodiversity gains. Conditional Permission. (Condition number 16).

Design Review Panel: (Original Plans):

- Concern with regard to the level of hard standing and amount of circulation space required for access to parking.
- Plot 13 surrounded by access road, footpaths and parking.
- Entrance to plot 15 could be moved to front to reduce pathways and hard standing.
- Concern with regard to design of single storey units.
- Query with regard to levels across site.
- Terrace houses do not have level access.
- Details plans and sections will be required.
- Dividing up built form with gaps between blocks turn the corner much better than previous scheme. Proposal addresses street scene significantly better.
- Design requires good detailing and materials with regard to window surrounds,



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- copings and sills.
- Soldier course lintel / arch details not good enough detail for this type of scheme and inconsistent with surrounding traditional buildings.
- Concern with regard to hierarchy of windows particularly 1<sup>st</sup> floor secondary window too large and width of dormer cheeks.
- Side gable of plot 7 needs to be better articulated for example with addition of porch.
- Plot 9 might be better as flats to allow more flexible use of space and access to daylight.
- Plot 16 should either match its neighbours or be completely different. Question the floor to ceiling heights given the increase in level at ground floor. Suggest retention of access here to better serve the dwellings to the rear.
- Suggest amendment of road layout to the front to provide public realm improvements.
- In summary, fundamentals of the scheme are good but significant refinements of the design required. Urban design is good but not enough detailed thought has gone into the design. The scheme could be improved.

Urban Design Officer (Amended plans):

Applicant has responded to the matters raised by the Design Review Panel and has submitted some minor amendments to the elevations. Support proposals but consider it essential that care is given to the detailing and materials and recommend conditions. It would be beneficial to increase the width of the pavement to the front of the site fronting onto North Walls as it is difficult to cross the road at this point to access Winnall Moors Nature reserve and Easton Lane. (Condition numbers 2 and 3).

Sustainable Development Officer:

The information provided needs to be expanded to include the actual % improvement on current building regulations (only a Code 4 standard, i.e. minimum 25% improvement given). Need to see the DER and TER and the SAP data showing the fabric energy efficiency (FEE) (only an average given). Need to see what insulation (u-values) are proposed. A strategy looking at what renewables have been considered is needed.

Head of Environmental Protection:

Conditional Permission. (Condition number 18).

Head of Environmental Health:

Conditional Permission. (Condition numbers 22, 23 and 24).

**Representations:**

City of Winchester Trust: "These proposals were given a pre-application presentation to the Trust in December 2013 and seen by a Planning Appraisal Group in February. The latter approved of the mixture of materials and styles of housing on the site and of the access being from Lower Brook Street but would have liked to have seen a curved façade on North Walls. Providing more permeable surfaces to reduce surface-water run-off is also appreciated and it is noted that floor-levels are raised to avoid flooding. After the pre-application presentation there was criticism of the heavy copings & string-course on the North Walls frontage and of the red ridge-tiles but neither was of concern to the PAG panel. It was also felt that detailing and quality of materials is very important and that the railings should be of a high standard and properly detailed. It was also believed



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that the elevation design should provide for the location of burglar alarms. The importance of archaeology on the site is noted and it is hoped that protection & evaluation will be covered by a condition of any planning consent."

12 letters of support received for the following reasons:-

- Good use of redundant site
- Will make positive contribution to Conservation Area
- In keeping with the area
- Maintains privacy for existing residents
- Need to ensure parking enforcement and control of noise / dust
- Improvement on original scheme
- Need to maintain rear access from houses on Lower Brook Street
- Need to consider future flooding issues
- Developers have listened to concerns and overcome them with amended plans

**Relevant Planning Policy:**

Winchester District Local Plan Review

DP3, DP4, DP5, DP13, HE1, HE2, HE5, HE6, HE7, H3, T2, T3, T4, and W7.

Winchester Local Plan Part 1 – Joint Core Strategy

CP2, CP3, CP6, CP7, CP9, CP10, CP11, CP13, CP14, CP17, CP20, CP21

National Planning Policy Guidance/Statements:

National Planning Policy Framework

**Planning Considerations**

Principle of development

The site is within the settlement boundary of Winchester and within the Winchester Conservation Area, where there is a presumption in favour of residential development subject to it being in accordance with the policies of the Winchester District Local Plan Review (WDLPR) and the Local Plan Part 1 (LPP1).

The fire station site formally provided a facility and service to Winchester. Policy CP6 of the LPP1 is therefore applicable. However, the fire station has been relocated to Winnall and it is considered that, as the use has been re-provided, and given the need for housing in Winchester, that the replacement of the fire station site with residential development is acceptable in principle.

The proposed development comprises 16 new dwellings with 4 x two bedroom; 6 x three bedroom and 6 x four bedroom. This responds to the need for housing within Winchester and the mix proposed conforms with the requirements of policy CP2 of the LPP1. The proposed density of the development equates to 59 dwellings per hectare which is considered to be an efficient use of land within a densely populated, easily accessible urban area, in accordance with policy CP14.

Design/layout

The proposed revised scheme has been designed following pre-application discussions



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with Officers and with local residents. The buildings which face onto the public realm are traditional in character and all have private garden areas and allocated parking spaces. The bungalows proposed in the former Faberlux Yard are more contemporary in design with low roof heights and windows positioned to protect the amenity of adjoining occupiers and ensure mutual privacy for future and existing occupants.

The design and layout of the bungalows has been criticised by the Design Review Panel. However, the layout of the buildings has been dictated to some degree by the presence of important trees along the western boundary. For this reason, plot 13 has been positioned 6 metres away from the boundary for reasons of root protection. Furthermore, pedestrian access to the rear of the dwellings in Lower Brook Street was requested by the local residents. The proposed garden areas are small, but south facing and considered appropriate for a small two bedroom dwelling in an urban area in close proximity to parks and open spaces. Amended plans have been received which show the introduction of high level windows on plots 14 and 15 to break up the brick work and also to allow further light into the buildings.

The Review Panel queried the access to the proposed dwellings at the front of the site. The slab level of the dwellings has had to be raised in response to the constraint posed by flooding. The design includes ambulant steps to the front door and a secondary rear, level access. This complies with Part M of the building regulations.

The Review Panel criticised the window hierarchy and width of dormer cheeks. Amended plans have been received which show a wider width of the dormer cheek which is acceptable to the Urban Design Officer. Furthermore, the criticism in respect of the side gables of plots 6 and 7 has been addressed with the submission of amended plans showing the addition of a porch within the side elevation of plots 6 and 7.

Concern has also been raised in respect of the garden area available for plot 9 and the fact that this building might have been better suited to flats. However, the introduction of flats and subsequent increase in the number of parking spaces and bin storage etc was not considered to be appropriate. The proposed tree shown on the east boundary of plot 9 is to be removed to allow morning sun light into the garden area. There will also be some late evening sun in this garden. There are many instances in the city centre where dwellings have small gardens and courtyard areas and plot 9 is considered to be in character with the locality.

It is thus considered that, following the receipt of the amended plans dated 3 April, 2014, the design and layout of the scheme is acceptable and in accordance with policy DP3 of the WDLPR and policy CP13 of the LPP1. The amenity areas, parking areas and bin / cycle storage areas are satisfactory and in accordance with policy DP5 of the WDLPR. However, there remains some elements of the detailing that will require further attention, especially given the site location within the conservation area and the justification for the demolition of the former fire station. These are set out in more detail below in the consideration of the impact of the redevelopment scheme on the conservation area.

Impact on character of the conservation area

Loss of former fire station - In assessing the contribution made by the present buildings to the character and appearance of the Winchester Conservation Area, reference must be made to the ten criteria put forward in English Heritage's published guidance '*Conservation Area*



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*Appraisals'* (2006). In English Heritage's view, any one of the ten characteristics could provide the basis for considering that a building makes a positive contribution to the special interest of a conservation area, provided that its historic form and values have not been seriously eroded by unsympathetic alteration.

In assessing the Fire Station against these criteria, a number of positive attributions are apparent. It is not known if the principal building is the work of an architect of regional or local note, although it is very possible that it may have been designed by the County Architect's Department, which latterly was nationally recognised for the high quality of its designs. The principal building is recognisably a municipal building, and may certainly be said to have qualities of age, style, materials and other characteristics which reflect those of other prominent buildings in the conservation area. It has very broad similarities, notably in the adoption of a strongly domestic classical (Georgian) idiom, with the listed County Council offices in the centre of the city, which are also in the character area of '*Central Winchester: the walled town*'. The buildings also serve as a reminder of the gradual development of the urban settlement in which the site stands, and of an earlier phase of growth (the site remained largely undeveloped from the post-medieval period, with the exception of several buildings of generally domestic scale at the north end of Lower Brook Street, until the twentieth century). It is reflective of a period when municipal services were located within built-up urban areas rather than on the periphery of settlements closer to main transport networks as they are now.

The fire station is a good quality example of mid-C20 municipal architecture, from a period when the utilitarian nature of such buildings was not reflected in their design, and is a well-mannered building that sits comfortably in its immediate surrounding (residential) context, whilst maintaining a presence in the townscape that reflects its municipal importance. The principal (1930s) building forms the most prominent element of the site in the local townscape, especially in views from the north-east (North Walls/Durngate) and when looking northwards along Lower Brook Street, where the steeply pitched tiled roofs are visible beyond the terraced houses. The Fire Service Management building to the west makes a lesser contribution, as a piece of design, and in townscape terms, but is nevertheless of an appropriate scale and form in this predominantly residential area.

For the above reasons, it is considered that the principal building makes a positive contribution to the character and appearance of the conservation area (the boundary of which was clearly drawn to ensure its inclusion), particularly in its careful design response to the residential character of the streets forming its immediate context. Winchester does not yet have an adopted Local Heritage List, but the building would be a strong candidate for inclusion on such a list.

In historic environment policy terms, Policy HE.7 of the Winchester District Local Plan Review resists the total or substantial demolition of unlisted buildings in a conservation area unless the following criteria are met:

- (i) the building is of inappropriate structure or design, where removal or replacement will preserve or enhance the area, or
- (ii) (the building) makes no positive contribution to the character, appearance or historic interest of the area, either individually or as part of more general views, or
- (iii) (the building) cannot be repaired or adapted so as to extend its useful life.



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The submitted Heritage Statement describes a proposal to convert the building for residential use, but does not support this with a drawn scheme or financial justification (in terms of the whole site). The scheme described seems perhaps a less than convincing attempt to convert the building to a rigidly conventional form of housing, rather than visualising an imaginative scheme that would make good use of the building's unique qualities. Nevertheless, there are a number of issues that emerge from the exercise, principally that the market value of the converted building would be likely to be lower than the scheme proposed (as a result of floorspace issues imposed by the constraints of the plan form) and that strict adherence to current Building Regulation standards regarding flood-protection could have a significant impact on the fabric and character of the building.

In terms of policy HE.7, it is the case that neither (i) nor (ii) are satisfied, as the building is not of inappropriate structure or design and it does make a positive contribution to the character and appearance of the Winchester Conservation Area. It is considered that in the absence of a drawn scheme HE.7 (iii) has not been conclusively demonstrated, although there are likely to be viability issues, particularly as a result of the need to comply with current Building Regulations regarding flood-protection.

The loss of the existing building also has to be considered in terms of the advice in the NPPF, which requires that the 'Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole'.

In this case, the relevant character area of the Winchester Conservation Area (Central Winchester: the walled town) includes many buildings of high significance, many of them statutorily listed, with some at grade II\* and grade I. The contribution made by the Fire Station, whilst positive, is clearly of a lesser magnitude than many of these buildings, a substantial number of which make up the medieval core of the City which is centred on the Roman town of VentaBelgarum. The building was not specifically identified in the Winchester Conservation Area Project (2003) as an important unlisted building. In this context, the loss of the existing building is considered to amount to 'less than substantial harm' as set out in the NPPF.

NPPF para.134 requires that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

The application documents cite two principal public benefits of the proposals: (a) the provision of funding for the construction of the now operational new fire station facility in Winnall, and (b) the extent to which the replacement development preserves and enhances the character and appearance of the Winchester Conservation Area.

As the new fire station has been operational since February 2011, and the County Council has a statutory duty to provide fire-fighting services, which should be accounted for in its overall budget, there appears to be no direct public benefit from the scheme on these grounds. Additionally, NPPF para. 131 notes that it should be a planning consideration that new development in conservation areas should contribute to local distinctiveness, and permission would not usually be forthcoming if a development proposal does not satisfy this criterion.



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The public benefit of the scheme is, consequently, limited to the provision of new housing of an appropriate character to the Winchester Conservation Area, and a consideration of the proposed scheme in this context follows.

Proposed redevelopment scheme - The scheme for 16 new houses includes a terrace of six houses on North Walls, a short run of three houses at the corner of Lower Brook Street, and a further short terrace of three houses on Lower Brook Street. Each has a distinctive form, related to its location, and each is of traditional proportions and details, having masonry elevations with punched window openings beneath pitched roofs. The corner building is composed of three distinct elevations, increasing in height towards the east, whereas the terrace on North Walls has a repetitive and rhythmical form. The short terrace on Lower Brook Street has a jettied first floor and half-hipped roof. A narrow infill building is proposed between 34 and 35 Lower Brook Street, and three single storey houses behind the street frontages.

The scale and massing of the proposed buildings generally reflects that of the older development in the immediate vicinity, and the architectural language is broadly sympathetic to the local character. The increase in scale towards the corner of North Walls/Lower Brook Street is considered to be justified in townscape terms, particularly in relation to the local landmark quality enjoyed by the existing building when viewed from Durngate. The requirement for raised ground floor levels (in relation to protection from site flooding) appears to have been worked through better in some buildings than others – the two ‘terraces’ with their raised doorways and perimeter railings do not appear as convincing as the corner building.

The street elevation of House 16 would benefit from being more closely related to the adjoining terraced houses on each side – the first floor window cills of the new house do not align with the adjoining ones.

Given the variety of the designs, and references drawn from the local area, it will be important to ensure that the materials and detailing of the buildings contribute to the integrity of the designs, as there is a risk that the use of historicist styles without convincing detailing could be visually damaging to the character and appearance of the conservation area. For example, the proposed soldier arches to the ground floor windows on the six terraced houses – which are of a traditional overall design – do not sit comfortably with the other traditional details of this street elevation, and would be more convincing as flat gauged arches or expressed decorative lintels (as appear on the existing houses adjacent). The details of dormer windows, which are very prevalent in the scheme, also need to be carefully considered, as these can sometimes become over-exaggerated as a result of insulation requirements. On houses 7 and 8, which have classically derived elevations (with multi-pane windows), it would perhaps be appropriate to proportion the windows to the street elevation in a traditional manner (upper level windows smaller than those to the ground or principal floors). Appropriate conditions should be imposed on any permission granted to secure a quality of materials and details commensurate with the character and appearance of the conservation area.

On balance, however, and subject to detail, the proposed scheme is considered to offer an enhancement of this part of the conservation area, with buildings of an overall appropriate scale, and strong residential form, which will reinforce the prevailing character of the local area. As such the proposal is considered to be in accordance with policies HE5, HE6, and HE7 of the WDLPR, policy CP21 of the LPP1 and the advice contained in the NPPF, subject



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to the receipt of detailed plans which will be secured by way of planning condition numbers 2 and 3.

Impact on neighbours

The proposed redevelopment scheme has been prepared in consultation with local residents and subsequently the occupants of the new dwellings and existing residents will enjoy mutual privacy. The three terraced blocks follow the building line of North Walls and Lower Brook Street thus creating no overbearing impact nor loss of light to adjoining dwellings. The new bungalows in Faberlux Yard are single storey to ensure no adverse impact on the surrounding residents. As such the proposal is in accordance with policy DP3 of the WDLPR.

Landscape/Trees

The Head of Landscape originally raised concern in respect of the proposed landscape strategy which has indicated a number of new trees, the future of which is likely to be compromised by pressure to fell to achieve more sun light into gardens and as a result of damage by cars. There are also a number of grassed areas and small planting zones that are unlikely to grow because of their size and orientation. It is considered that a much more honest approach is required in this location whereby attention is given to providing a lower number of more mature trees with sufficient space around them to guarantee their future growth. Trees to the rear of plots 5 and 6 / 11 are thus proposed. Trees proposed adjacent to plots 9, 2, 3, 13 and 15 are not required. It is proposed to provide gravel areas to frontages which would be in keeping with the existing house frontages and will allow future occupants to provide planted pots if they so desire. The boundary treatment will comprise low walls and railings with brick walls to the rear of dwellings 1 – 13 with side walls to the side of 14 and 15. Good quality fencing will provide division and security / privacy between properties and to the rear of plots 14 and 15. Condition numbers 2 and 3 will require the submission of additional details in this respect and good high quality materials for the walls and railings.

Amended plans have been received which have taken on board the concerns set out above. Planning condition number 5 requires the submission of final landscape plans and further details and planning condition number 6 seeks to ensure their satisfactory implementation. .

The Head of Landscape has raised no objection in respect of the existing trees affected by the development subject to planning conditions 7 and 8.

Subject to the receipt of a satisfactory landscape strategy, the proposed development is considered to be in accordance with policy DP4 of the WDLPR.

Highways/Parking

The site is to have a vehicular access onto Lower Brook Street, which will also act as a turning head, allowing service vehicles to turn within the access. At present, no such facility exists in Lower Brook Street, meaning service vehicles have to perform a long reversing manoeuvre. This solution will therefore result in an improvement over the current situation. The site will accommodate 16 car parking spaces, at a rate of 1 allocated parking space per unit. Given that the site is located within the Inner Controlled Parking Zone, and is deemed to be highly sustainable, this number of spaces is considered to be acceptable from a highway point of view. It should be noted



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that any new residents will not be able to purchase residents parking permits, but will be able to purchase Season Tickets for nearby public car parks.

The previous scheme for 47 dwellings gave way to a requirement for off site highway measures to North Walls. Indeed this has been suggested by both the Design Review Panel and the Urban Design Officer in order to increase the pavement width and subsequently provide an improved crossing to Winnall Moors and Easton Lane. Given that the number of dwellings now proposed has been significantly reduced, these off site works can no longer be justified.

As such the proposal is considered to be in accordance with policies T2, T3, T4 and W7 of the WDLPR and policy CP21 of the LPP1 subject to planning conditions 9, 10, 11, 12 and 17.

Flooding and Drainage

The site lies within Flood Zone 3 land which is defined by the NPPF as having a high probability of flooding. A Flood Risk Assessment (FRA) therefore accompanies the planning application.

The FRA includes additional modelling carried out by the Environment Agency that shows the extent of Flood Zone 3 (land with a probability of flooding greater than 1% in any year - land that will flood, on average, at least once every 100 years) in relation to the site in greater detail than the Flood Map. The model outputs indicate a depth of flooding in the eastern part of the site of around 200mm in the 1% annual probability flood, including an allowance for climate change.

In order to mitigate against the risk of flooding to the development, the FRA proposes that the floor levels of the proposed development are raised 300mm above the modelled flood level of 37.1 metres above Ordnance Datum Newlyn (m AOD). This will mean that floor levels will be at 37.4m AOD, approximately 400-500mm above the street level.

As the development will result in an increased footprint within the floodplain, the FRA proposes to include flood plain compensation in the form of sunken landscaping and storage crates/voids below the car parking area. It is intended that these storage areas would be linked by pipework underneath the building and footpaths. The Environment Agency are satisfied with the principle of these proposals but the FRA does not provide full details of the scheme. In order to ensure it functions as intended planning condition numbers 13 and 14 are therefore required to ensure they function as planned.

The modelling in the FRA shows that the access to the site from North Walls and Lower Brook Street would be flooded in the 1% annual probability flood. The FRA therefore provides for a dry access route through the rear of the development to a section of Lower Brook Street where flood waters should be low enough for all people to safely wade through (in accordance with the hazard rating contained within R&D report FD2320/TR2, Flood Risk Assessment Guidance for New Development).

Para 11.4 of the FRA (p.5) argues that as the impermeable surfacing within the site will be reduced, no changes are required to the existing drainage. However, It is unlikely that the existing drainage meets current standards and the opportunity should be taken to upgrade the drainage to meet the standards as set below. Planning condition number 15 requires such measures to be submitted prior to development.



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The development should provide a sustainable drainage strategy to include SuDS elements with attenuation, storage and treatment capacities incorporated as detailed in the CIRIA SuDS Manual (C697). The developer should be required to accommodate surface water runoff according to the following criteria:

- The surface water drainage system must be designed to control runoff and prevent flooding of property in up to a 1 in 100 year storm event, plus an allowance for an increase in storm intensity with climate change in line with the PPS25 Practice Guide. In line with CIRIA C635 "Designing for Exceedance in Urban Drainage", events under the 1 in 30 year return period should be contained within the system, while short-term surface flooding in events in exceedance of the 1 in 30 year return period is acceptable, so long as this can be safely stored without risk to people.
- The rate at which surface water is discharged from the site may vary with the severity of the storm event but should be no greater than the undeveloped rate of runoff for a given event;
- The drainage arrangement should also be such that the volumes of surface water leaving the site are no greater than that at pre-development. Long-term storage may be required to control any additional surface water volumes generated.

The Developer has been advised by way of planning informative.

The Environment Agency have noted the correspondence contained within the FRA and Design and Access Statement referring to archaeological remains being present below the site, and the associated constraint on providing below ground storage. If it is not possible to meet the above standards the developer should at least demonstrate a clear reduction in surface water runoff rates. Surface water storage on this site could take the form of permeable paving, rainwater harvesting or a green roof, amongst other methods. This is requested by way of planning condition number 15.

Subject to the submission of information detailed in the conditions required above, the proposed development is considered to be in accordance with the advice contained in the NPPF and policy CP17 of the LPP1.

#### Ecology

An Ecological Appraisal Report has been submitted with the application. The Ecology officer has advised that this provides a very useful summary of all works undertaken at the site and makes a number of appropriate recommendations in order to avoid impacts on protected species and provide biodiversity gains. Though the updating Phase 2 bat survey was undertaken outside of the peak survey season, it is considered that the condition of the building has not altered since the initial surveys undertaken by ECOSA. A combination of the illumination of the site, the lack of suitable foraging habitat, the low number of features exhibited by the buildings and the absence of evidence or emergence/re-entering bats means that there is no reasonable likelihood of roosting bats being affected by the proposed demolition works. Planning condition number 16 requires the development to be carried out in accordance with Ecological Appraisal Report. Subject to the satisfactory compliance with this condition the proposal is considered to be in accordance with policy CP16 of the LPP1.

#### Archaeology

The site investigation works have highlighted that well preserved sequence of deposits relating to the Medieval, Saxon and Roman occupation of Winchester are present on the



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site. It is proposed that given the depth of the deposits which exist at the site, that the vast majority of the remains are preserved in situ beneath the development which may be constructed, including piling foundations if necessary, without any impact upon them.

The Archaeology Report prepared and submitted with the application confirms that the flood storage areas proposed within the Flood Risk Assessment may be constructed below the ground and at a depth which retains a buffer thus resulting in no conflict with the archaeological remains beneath.

Part one of a report on the further archaeological investigations undertaken at this site has been received which concludes that there may be limited archaeological remains contained within the site. . Subject to planning condition numbers 19, 20 and 21, the proposal is considered to be in accordance with policies HE1 and HE2 of the WDLPR.

#### Affordable Housing

Policy CP3 of the LPP1 requires those developments of 5 or more dwellings to provide 40% on site affordable housing provision.

A viability report has been submitted with the application which concludes that the development proposed results in a residual land value of about 20% more than the existing use value, thus the development will not be viable if it has to provide affordable housing either on site or as an off site commuted sum as well as provide dwellings that achieve Level 4 for Water and Code Level 5 for Energy of the Code for Sustainable Homes. The viability report includes the provision of payments required under CIL which are non-negotiable (£221,368).. This report has been considered by an External Valuer on behalf of the Head of Estates which show that the surplus funds of £129,440 will be required to meet the Code Level required by policy CP.11 and therefore the development cannot viably afford to make an on or off-site contribution towards the delivery of affordable housing, and on this basis no affordable housing contribution can be sought.. .

#### Sustainability

A Sustainable Development Statement has been submitted with the application which sets out how the principles of sustainable development have been applied at the design stage of this proposed development as follows:

- All dwellings will conform to Code 4 Level 4 for Energy
- The average design Fabric Energy Efficiency (FEE) level for the site is calculated as 44.3 which is the mandatory requirement for Code Level 5 & 6 i.e. less than 46.
- Energy efficient double glazing creating an insulated barrier, reducing heat loss, noise and condensation.
- All properties shall have an air tightness of  $\leq 5\text{m}^3/\text{m}^2/\text{hr}$ .
- Installation of 1Kwp solar PV via solar tiles to the rear of each properties.
- Adequate space will be provided within each dwelling for recycling and composting.
- All dwellings will incorporate a rainwater butt for external water storage.
- All dwellings will achieve Code 4 for Internal Water use i.e.  $\geq 105\text{ l/p/day}$ . Flow restrictors will be provided on all taps. Shower heads will be provided over baths to encourage shower use and will have a lower flow rate. Toilets will have a 6/4 litre dual flush to minimise water usage.



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- The timber elements incorporated in new houses; internal studwork walls, engineer joists and roof timbers are from managed sources, with PEFC/FSC certified chain of custody.
- Boilers to be condensing which are of a higher efficiency with a SEDBUK efficiency rating in the 90's, thus helping cut carbon emissions.
- 100% of all internal light fittings will be dedicated low energy.

The Sustainable Development Officer has considered these proposals but requires additional information. However, as there are additional funds of £129,440 available to achieve Code Level 5 for Energy, the scheme will be in accordance with policy CP11 of the LPP1. Condition number 25 will ensure that these codes are met.

**Conclusion**

The application is considered to be in accordance with development plan policy and the advice contained within the NPPF in all other respects and is recommended for approval.

**Recommendation**

That planning permission be granted subject to the following conditions:

**Conditions**

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

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

2 Before development commences 1:20 scale fully annotated plans, elevations and sections of the following details (for each dwelling, the bin store and the sheds/bike stores proposed within private gardens) shall be submitted to and approved in writing by the local planning authority:

- Eaves, verges, bargeboards, fascias, ridge tile profiles
- Rainwater goods
- Chimneys
- Windows including dormers which shall include materials (NB all windows frames within masonry shall be recessed from the face elevation by a minimum of 75mm)
- Doors canopies/porches/porticos and door surrounds and steps
- Garden gates and all boundary treatment
- Solar panels including there positions within the roof planes and the fixings to the roofs
- Conservatories
- Metre boxes/cabinets including positions, colours and materials
- Jettied overhang and brackets for house 12, 13 and 14

The above details shall be implemented in accordance with the approved details before each building is occupied.

2 Reason: to ensure that the external appearance of the development is of a high order on this sensitive town centre site.



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3 Before development commences samples of all the external materials of the buildings and external hard landscaping surfaces shall be submitted to and approved in writing by the local planning authority. The external materials shall comprise, natural slate and clay plain tiles for the roofs (bonnet hip tiles shall be used on plots 10, 11 and 12), timber window frames and stone sills, timber doors and door frames, timber barge boards and fascias, a soft stock brick and through-coloured render for walls, lead dormer cheeks, metal rainwater goods. No GRP shall be used for door surrounds, porches, porticos, chimneys, pillars, parapet detailing or other decorative detailing.

3 Reason: to ensure that the external appearance of the development is of a high order on this sensitive town centre site.

4 The works of demolition hereby authorised shall not be commenced before a contract for the carrying out and completion of the entire works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides. Evidence of such a contract shall be submitted to and accepted in writing by the local planning authority.

4 Reason: To prevent premature demolition and the creation of gap sites which will be prejudicial to the amenities of the conservation area and to accord with the NPPF.

5 Notwithstanding the submission of Landscape Strategy Plan reference 3213-101 Rev A, no development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours;
- means of enclosure;
- hardsurfacing materials;
- 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:

- planting plans;
- written specification (including cultivation and other operations associated with plant and grass establishment;
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate:

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

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



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

7 All works prescribed - both to trees and that related to demolition and construction activities shall be undertaken in strict accordance with the Arboricultural Information ref: 11251-AIA 3 written by Barrie Draper of EcoUrban Limited and submitted to the Local Planning Authority.

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

8 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Information ref: 11251-AIA 3 written by Barrie Draper of EcoUrban Limited and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site and will remain until the development is complete.

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

9 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.

9 Reason: In the interests of highway safety.

10 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.

10 Reason: In the interests of highway safety.

11 The existing access(es) to the site shall be stopped up and abandoned and the footway crossing shall be reinstated to the requirements of the Local Planning Authority, immediately after the completion of the new access hereby approved and before the new access is first brought into use.

11 Reason: In the interests of highway safety and the amenities of the area.

12 The car parking spaces hereby approved shall not be used for any other purpose than the parking of cars.

12 Reason: To ensure the provision and retention of the IN: in the interests of local amenity and highway safety.

13 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (produced by Opus



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International Consultants, dated 10 December 2013, reference 8EF1383/APT) and the following mitigation measure detailed within the FRA:

- Finished floor levels are set no lower than 37.4 metres Above Ordnance Datum (m AOD) as specified within section 11.2, page 4 of the FRA.

13 Reason: To reduce the risk of flooding to the proposed development and future occupants.

14 The development hereby permitted shall not be commenced until such time as a scheme to provide level for level floodplain compensation for the 1% annual probability flood event has been submitted to, and approved in writing by, the local planning authority.

14 Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

15 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 hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- a timetable for its implementation; and
- a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

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

16 Works shall be carried out in accordance with measures set out in section 5.6 of the Ecological Appraisal Report (Hampshire Ecological Services Ltd, December 2013) unless otherwise approved in writing by the LPA.

16 Reason: In order to provide adequate mitigation for breeding birds and to enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

17 Details should be submitted which show that each individual dwelling will have its own secure and undercover cycle store within its curtilage. Such provision should be implemented prior to first occupation of the dwellings and retained in perpetuity.

17 Reason: To ensure that safe and secure cycle storage is provided for each dwelling.



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18 The development hereby approved shall comply with all indoor ambient noise standards specified for dwellings within table 4 of BS 8233:2014 and associated notes (note 7 shall not apply).

A noise validation report, demonstrating compliance with these noise criteria, shall be submitted to and approved by the Local Planning Authority before any dwelling is occupied. If mechanical ventilation has been provided then this assessment shall be conducted with the system in operation.

18 Reason: To ensure that acceptable noise levels within the dwellings are not exceeded.

19 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

1. An assessment of significance and research questions
2. The programme and methodology of site investigation and recording
3. Provision for post investigation assessment, reporting and dissemination
4. Provision to be made for deposition of the analysis and records of the site investigation (archive)

19 Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

20 Following completion of all archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

20 Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

21 Before any works hereby permitted are begun, details of the foundations including any piling configuration, drainage and services to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to be preserved.

21 Reason: To ensure the conservation and protection of important archaeological remains present within the site, in compliance with policy HE.1 of the Winchester District Local Plan Review.

22 No development shall take place until a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.



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The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites - code of practice or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

- 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.

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

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

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

24 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.

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

25 Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data) demonstrating that all homes meet the Code 5 standard for energy (as defined by the ENE1 and ENE2 in the Code for Sustainable Homes) and the Code 4 standard for water (in the form of a BRE water calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

25 Reason: To ensure that the development achieves Code 4 for water and Code 5 for energy in accordance with policy CP11 of the Local Plan Part 1.



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**Informatives:**

1. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

the applicant was updated of any issues after the initial site visit was provided with pre-application advice

2. This permission is granted for the following reasons:

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

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

Winchester District Local Plan Review 2006: DP3, DP4, DP5, DP13, HE1, HE2, HE5, HE6, HE7, H3, T2, T3, T4, and W7.

Local Plan Part 1: CP2, CP3, CP6, CP7, CP9, CP10, CP11, CP13, CP14, CP17, CP20, CP21

4. The applicant is advised that a licence will be required to carry out highway works. Please contact Hampshire County Council Highways Department.

5. The development should provide a sustainable drainage strategy to include SuDS elements with attenuation, storage and treatment capacities incorporated as detailed in the CIRIA SuDS Manual (C697). The developer should be required to accommodate surface water runoff according to the following criteria:

- The surface water drainage system must be designed to control runoff and prevent flooding of property in up to a 1 in 100 year storm event, plus an allowance for an increase in storm intensity with climate change in line with the PPS25 Practice Guide. In line with CIRIA C635 "Designing for Exceedance in Urban Drainage", events under the 1 in 30 year return period should be contained within the system, while short-term surface flooding in events in exceedance of the 1 in 30 year return period is acceptable, so long as this can be safely stored without risk to people.
- The rate at which surface water is discharged from the site may vary with the severity of the storm event but should be no greater than the undeveloped rate of runoff for a given event;



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- The drainage arrangement should also be such that the volumes of surface water leaving the site are no greater than that at pre-development. Long-term storage may be required to control any additional surface water volumes generated.
6. It is recommended that the Tree Officer is informed once protective measures have been installed so that they can be inspected and deemed appropriate. Evidence will also be required to demonstrate that the protective measures have been installed prior to any demolition, construction or groundwork commences on the site and to show that it has remained until the development is completed before the relevant condition may be discharged.
  7. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
  8. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.