

Planning (Viewing) Sub Committee – 17 November 2016

Report Extract from the Special Meeting of the Planning Committee 27 October 2016

Item No:	02
Case No:	16/01327/OUT
Proposal Description:	(Additional details submitted 01.09.16) Erection of 66 dwellings with associated access via Tangier Lane, associated parking, landscaping and public open space (Phase 2). (Outline application considering access) (this application may affect the setting of a public right of way)
Address:	Land To The East Of Tangier Lane Bishops Waltham Hampshire
Parish, or Ward if within Winchester City:	Bishops Waltham
Applicants Name:	Crest Nicholson Operations Limited
Case Officer:	Mehdi Rezaie
Date Valid:	14 th June 2016
Site Factors:	Site constraints that are of material planning relevance to the include: <ul style="list-style-type: none">▪ Civil Aviation;▪ Contaminated Land Consultation;▪ Solent Disturbance and Mitigation Zone;
Recommendation:	Application Permitted subject to imposition of conditions and completion of legal agreement;

General Comments

This application is reported to Committee because it is for major development and due to the high volume of objections received which are contrary to the officer's recommendation.

This outline application (considering access) was submitted alongside a full application for the development of land to the west of Tangier Lane ref. 16/01322/FUL for 66 dwellings and is intended as phase 2 of a 2 phase development.

A revised Illustrative Site Layout Plan was on 02.09.2016 labelled drawing no: '2064-C-1007-G'. The plan shows the curtilage of the site, an outline of proposed access and travel-ways, building arrangement, orientation and their basic footprint, vehicular parking areas, pathways, footpaths and trails.

A revised Illustrative Landscaping Master Plan was also submitted on 05.09.2016 labelled drawing no: '2583-LA-11 Rev P1'. This plan shows the extent of boundary treatment to the perimeter of the site, to include both soft and hard landscaping features and public open space within the site, which extends to plot specific garden elements.

The applicants agent has also submitted an addendum to their original 'Design and Access Statement' on 01.09.2016 superseding the earlier submission.

Site Description

The application site falls within the district boundary of Winchester City Council, and outside the defined settlement boundary as depicted on the Local Plan Policies Map.

In terms of its local context, the areas of land to the East of the application site are allocated as 'Strategic & Local Gaps', the parcels of land to the South and West of the site also form part of the countryside and are served by light agricultural buildings and paddocks, and predominantly rural in character. The areas of land to the North of the application site borders the South-Western edge of Bishop's Waltham, which is bounded by existing residential properties, spread over a low-medium density. A character appraisal of dwelling-houses serving Mallard Close, Park Road and The Avenue reveal that properties in the vicinity are predominately two-storey and detached in form, however, not necessarily uniform in architectural style or scale, disparities are shown by way of detailed fenestration, material use, building height, roof shape and roof slope although building lines remain well established and consistent.

In terms of its immediate context, the application site is situated to the South of Winchester Road (B2177 dual carriageway). The site is trapezoid in shape and nestled to the East of Tangier Lane and West of Priory Park recreational ground (site enlisted under No.29 from the Open Space Strategy 2015), and on land designated as countryside covering an area of land no greater than 3.74 hectares or 9.24 acres. The land within the eastern parcel of the site falls at a reasonably even gradient from adjacent to the settlement boundary to the North (approximately 44m AOD) to South (approximately 40m AOD).

The North-Western boundary of the site lies adjacent to Tangier Lane and encompasses a mature tree lined vegetated boundary, similarly the perimeters of the North-Eastern and South-Eastern boundaries of the site are bound by rows of mature trees and dense vegetation whilst the Southern boundary has open sections with a row of mature coniferous trees. A Public Right of Way does runs along the Northern and Western boundary of the site from Tangier Lane towards the recreation ground.

Proposal

This application seeks outline planning permission for the 'Erection of 66 dwellings with associated access via Tangier Lane, associated parking, landscaping and public open space (Phase 2)'. The proposal aims to provide a mix of family homes (to include allocated 40% affordable housing contribution), site provisions allow for 6% one-bed self-contained flats; 6% two-bed self-contained flats; 18% two-bed dwellingshouses; 35% three-bed dwellingshouse, 30% four-bed dwellingshouse and 5% five-bed dwellingshouse.

The proposal aims to incorporate a mix of building types, sizes and tenures, these vary from terrace to semi-detached and detached (no greater than 2 and a half storey in height), with a medium-low density pattern of development.

The scheme incorporates provisions for vehicular access to the site off Tangier Lane via a priority controlled T-junction located approximately 300m South of the junction with Winchester Road. Additionally, provisions have been set aside to incorporate areas of open space within the site and a new footpath/cycleway which combines to form part of a wider route along the Southern edge of Bishop's Waltham to link with Priory Park and the wider area.

Relevant Planning History

None relevant

Consultations

Winchester City Council – Drainage – No objection

Comments received on 22.07.2016 from the Council's Drainage Engineer advising point of contact for development of this nature to be reflected under the authority of Hampshire County Council's Drainage Engineers, no objections to any consent granted subject to conditions be attached limiting the use of materials to on hard standing areas to permeable and the use of water butts.

Hampshire County Council - Highways Authority – No objection

Comments received on 12.09.2016 from the Highways Engineer, no objections and the highway implications have been deemed acceptable to the highway authority, any consent granted will need to include highway conditions.

Head of Environmental Protection – No objection

Comments received on 30.06.2016 from the Winchester City Council's Environmental Health Officer, no objections subject to conditions be attached to any consent granted.

WCC Head of Historic Environment – Archaeology – No objection

Comments received on 04.07.2016 from the Winchester City Council's Archaeologist, in support of the scheme subject to conditions being attached to any consent granted.

WCC Head of Landscape - Landscape and Arboriculture - Concerns

Comments received on 20.09.2016 from Winchester City Council's Landscape Officer raising concerns over the lack of clarity and to some extent provisions made for under the current submission, the Landscape Officer outlines potential fundamental flaws that may find the scheme conflicting with planning policies in the future under a different application type. Notwithstanding this, the Landscape Officer has acknowledged taken that at this stage and application type, those concerns may be resolved at reserved matters stage and therefore cannot warrant an outright refusal/objection as they are not fully up for review.

Follow-up comments received by the Landscape Officer on 29.09.2016 following their re-evaluation of the resubmitted Illustrative Landscaping Master Plan labelled drawing no: '2583-LA-11 Rev P1' and 'Design and Access Statement', their comments largely remain unchanged as they feel the variations were not reflective of their concerns.

HCC - Countryside Access - Concerns

Comments received on 21.09.2016 from Hampshire County Council's Countryside Access Development Officer who objects to the plans in their current form and request that they are amended to include additional planting between this section of the rights of way and the proposed development. Notwithstanding this, the Council's Access Development Officer has stated that should planning permission be granted for this proposal they would be grateful if a series of recommended informatives be included as within the Decision Notice.

Head of Strategic Planning – No objection

Comments received on from the Planning Policy Department, in support of the scheme subject to necessary conditions to any consent granted, their comments in part state:

“So whilst the site lies outside the settlement boundary of the adopted Local Plan (WDLPR 2006 saved policy H3) but it is included within LPP2 (Policy BW3) as a proposed housing allocation. The existing settlement boundaries will remain in force until LPP2 has been formally adopted. However, the proposal complies with policies in LPP1 and with LPP2 policy BW3, which allocates the site for residential development. A refusal of planning permission solely on the grounds of prematurity would not be justified because the Council would need to clearly demonstrate how any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. Therefore, it is suggested that this application is approved subject to satisfactory outcome to the matters and queries raised above.”

Natural England – No objection

Comments received on 14.07.2016 from Natural England, no objection subject to standing advice being applied to any consent granted.

Southern Water – No objection

Comments received on 05.07.2016 from Southern Water, no objection subject to conditions being imposed to any consent granted.

The Design Review Panel Comments:

The DRP considered that the submitted schemes were disappointing. The pre-application scheme version had more of a distinction evolving between the two sites with smaller units / terraces in a more formal layout to the west and larger units the thought process behind the revised scheme and its various elements. The sites could perhaps accommodate 3 character areas each relating on each site to the avenue, open space and edges.”

WCC Urban Design: Objection

The proposal does not relate to the character and context of Bishop's Waltham and create a distinctive place by virtue of the insufficient information provided on the existing urban form and local character to inform the proposal's site layout, character, open spaces and streets.

WCC Head of Housing: No objection subject to clarification of details.

Representations:

Bishop Waltham Parish Council:

Comments received on 14.07.2016 from Parish Clerk, objection raised to the proposal on grounds that the two applications combined would create in excess of 120 dwellings total which could potentially conflict with Local Plan Part 2 policies. Further concerns raised with regards to site access, and comments made in relation to need for road widening of access to be installed first, traffic management measures to be agreed, construction management plan for development traffic to be agreed.

Representations:

39 letters objecting to the proposal (some comments made on non-material planning grounds which have been disregarded). Objections raised were made over the following reasons (in order of volume of receipt):

- Highways (concerns over vehicular access, congestion, off/onsite parking provisions, signage/safety);
- Environmental (concerns over potential impact to wildlife, and trees);
- Visual amenity (concerns over impact to character of the area);
- Neighbour amenity (concerns over noise and light pollution and privacy intrusion);
- Infrastructure (concerns over pressures on existing medical facilities and educational establishments)
- Principle of development (location of development not being brownfield land);

Relevant Planning Policy:

This application has been assessed against the following policies:

The National Planning Policy Guidance/Statements:

The 'National Planning Policy framework' ("NPPF") 2012, Paras 7-9, 11-17, 21, 23, 25, 28, 34, 38-39, 41, 47, 50, 52, 54-55, 56-68, 69, 70, 73-74, 75-78, 89, 90, 92, 95-96, 112, 114, 119, 125, 151, 156, 158-161, 162, 165, 173-175, 177-182, 186-187, 196-197, 203-206.

The "NPPF" states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given). Accordingly, the 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

The Winchester District Local Plan Review 2006:

DP2: Master Plan requirement for large sites;
DP3: General Design Criteria;

DP4: Landscape and the Built Environment;
DP5: Amenity Open Space;
CE19-24: Residential Developments in the Countryside;
CE28: Sustainable Recreation Facilities;
HE1: Archaeological Site Preservation;
HE2: Archaeological Site Assessment;
H3: Settlement Policy Boundaries;
T2-T4: Transport and Parking;
W10: New Footpath Proposals

The Winchester District Local Plan Part 1 - The Joint Core Strategy 2013:

DS1: Development Strategy and Principles;
MTRA1: Development Strategy for Market Towns and Rural Area;
MTRA2: Market Towns and Larger Villages;
MTRA 4: Development in the Countryside;
CP1: Housing Provision, Housing Priorities and Housing Mix;
CP2: Housing Provision and Mix;
CP3: Affordable Housing Provision on Market Led Housing Sites;
CP7: Open Space, Sport and Recreation;
CP10: Transport;
CP11: Sustainable Low and Zero Carbon Built Development;
CP13: High Quality Design;
CP14: The Effective Use of Land;
CP15: Green Infrastructure;
CP16: Biodiversity;
CP17: Flooding, Flood Risk and the Water Environment;
CP20: Heritage and Landscape Character;
CP21: Infrastructure and Community Benefit;

The Winchester District Local Plan Part 2 – Development Management and Site Allocations Development Plan Document;

BW3: The Vineyard/Tangier Lane Housing Allocation;
DM1: Location of New Development;
DM2: Dwelling Sizes;
DM4: Protecting Open Areas;
DM5: Open Space Provision for New Developments;
DM13: Masterplans;
DM14: Local Distinctiveness;
DM15: Site Design Criteria;
DM16: Site Development Principles;
DM17: Access and Parking;
DM22: Rural Character;
DM23: Special Trees, Important Hedgerows and Ancient Woodlands;
DM25: Archaeology;

The Policy Maps of the Winchester District Development Framework 2006/2013:

Inset Map 1: Bishops Waltham;

Supplementary Planning Documents:

Bishops Waltham Village Design Statement, 2016
Winchester District High Quality Places SPD, 2015
Winchester District Affordable Housing SPD, 2008 (as amended 2012);
Winchester District Residential Parking Standards SPD, 2009
Landscape Character Assessment (Durley Claylands Character Area), 2004

Other Relevant Documents:

Winchester Biodiversity Action Plan, 2005
Open Space Strategy, 2015
Statement of Community Involvement, 2007
Winchester City Council Community Infrastructure Levy;
Winchester Housing Strategy, 2013/14 - 2018;
Winchester City Council Housing Development Strategy, 2014/15 - 2018/19;

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan and relevant supplementary documents unless material considerations indicate otherwise

Planning Considerations

Officers consider that the determining issues with regards to the proposal are as follows:

- a) The principle of a housing scheme in the area proposed;
- b) Masterplan and design concept;
- c) Affordable housing and housing mix;
- d) Open Space provision;
- e) Highway matters and public rights of way;
- f) Arboricultural, landscape and ecological/biodiversity, archaeology, flood risk and drainage
- g) Education

Principle of development

In terms of national planning policies, Para's 50 and 52 from the "NPPF" seeks to exploit opportunities for achieving sustainable development, delivering a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities.

On a site specific basis having regard to the development needs identified through an

established assessment under 'Policy BW3' on 'The Vineyard and land east of Tangier Lane' from the Councils 'Local Plan Part 2' which in part states:

"Land at The Vineyard and land east of Tangier Lane, as shown on the Policies Map, is allocated for the development of about 120 dwellings. Planning permission will be granted provided that detailed proposals accord with the Development Plan and meet the following site specific development requirements"

Officers have taken into careful consideration the location of the proposed development as it being a preferred site option in accordance with 'Policy BW3' from the 'Local Plan Part 2'. The principle of development in the area proposed is therefore considered acceptable on a provisional basis upon conforming to the requirements of the above policy with policy requirements by satisfying site specific development requirements such as the nature and phasing of development, access, environmental and infrastructure.

Although the above policy specifically indicates a spread of about 120 dwellings to be provided across two preferred sites, officers have taken into consideration the principle of developing 66 dwellings in the area proposed together with a further 66 dwellings (pending planning application no: 16/01322/FUL) from Land at The Vineyard which if approved and tallied together create 132 units total and a policy surplus of 12 units. Notwithstanding this, the matter was debated at the recent local plan examination, where it was concluded that 'about' equates to +/- 10%, therefore provision of 132 units in total would accord with this. Officers have been mindful of the Councils need for about 12,500 dwellings for the period 2011-2031 in accordance with 'Policy CP1' of the 'Local Plan Part 1, Joint Core Strategy 2013', which more specifically is supplemented of Bishop's Waltham's needs in keeping with the objectives outlined from within 'Policy MTRA2 (Section 5)' from the adopted 'Local Plan Part 1, Joint Core Strategy 2013' and its expectations of its delivery of 'about' 500 new dwellings to Bishop's Waltham over the plan period 2011-2031.

In assessing the number of units proposed, officers are attentive in ensuring the scale of development falls proportionate to the nature and scale of the site in accordance to 'Policy MTRA 4' and 'Policy CP14' on 'The Effective Use of Land' from the 'Local Plan Part 1, Joint Core Strategy 2013' and the core principles from within the "NPPF 2012" which seeks to promote sustainable forms of development that make optimal and viable use of a site. It is therefore considered, the principle of development is acceptable subject to meeting other general planning requirements which are set out below.

Additionally, the applicant's agent has in their Planning Statement made reference to several supportive local and national planning policies supplemented by extracts from 'The Lyons Housing Review 2014'. The applicant's agent draws the Councils attention to 'Policy MTRA2 (Section 5)' from the adopted 'Local Plan Part 1, Joint Core Strategy 2013' and 'Policy BW3' from the 'Local Plan Part 2' highlighting the schemes compliance with those policies.

Masterplan, Design concept:

A masterplan establishing the principle for the disposition of housing, open space, access points and linkages has been submitted with this application in accordance

with 'Policy BW3' on 'The Vineyard and land east of Tangier Lane' and 'Policy DM13' on 'Masterplans' from the '*Local Plan Part 2*'.

The overall design concept for the development of this site and the accompanying application for land to the West of Tangier Lane are fairly similar, as a result of the nature of the access into each site from the northern corner which would approach a central space, ensuring permeability between both sites and the surrounding area. The design principles were landscape led and consist of:

- the containment of the development within the site to avoid intrusion to the Southern Valley;
- through the establishment of a robust green infrastructure; by protection of existing boundary screen vegetation;
- minimising views into site;
- the provision of open space providing new links to pedestrian footpaths
- ensuring dwelling heights are similar to existing vernacular.

The street hierarchy consists of the main access road serving the centre of the development, with secondary shared surface roads serving the outer edges of the site. Within the site the strategic pedestrian/cycle route has been integrated from a northern point adjacent to the access to a southern point and also along a west-east axis. The site layout has been informed by a series of character areas (reduced to 3 in total), led by the differing landscape assets surrounding the site and include:

- The Green Core
- Site Approach and Northern Tree Line
- Rural Edge

Following review of the design comments revisions have been made to the proposed layout and have focused on replacing house types with more suitable versions for the aesthetic of the site (thinner footprints with more definition to the building line). Changes have also been made to the dwellings facing onto the central space and further work on enhancing the strategic pedestrian/cycle route.

Whilst this application represents an outline scheme with all matters reserved (apart from access) the overall master planning and design rationale should be robust at this stage to inform the reserved matters. This site and land to the west have been planned and designed in conjunction with one another and although the layouts and order of the sites have been criticised for their lack of distinctiveness the overall pattern of development reflects the surrounding residential area with a layout that is defined by a low density, loose pattern of development. Attention has been paid to the key characteristics of the site and local landscape features have been enhanced to reflect the local distinctiveness of the development. In addition to the above conditions are proposed to ensure that quality of building materials are high and if achieved this will enhance the quality of the development.

Overall therefore, whilst it is accepted that there is criticism of the scheme from a pure urban design perspective, it is considered that there is some merit in the chosen design which reflects the low density, loose pattern of development on this edge of countryside site and therefore should integrate well with the surrounding residential area.

Affordable Housing and Housing Mix;

Affordable housing provision is proposed at just below 40% of the total number of housing units on site, from the 66 housing units proposed this equates to 26. The parallel application for land to the west slightly exceeds 40% and therefore combined the sites area therefore in accordance with 'Policy CP3' on 'Affordable Housing Provision on Market Led Housing Sites' from the Councils 'Local Plan Review 2006' and the Councils Supplementary Planning Document on 'Affordable Housing 2008 as amended 2012'.

In terms of the distribution, tenure mix and dwelling size the Housing Officer will provide comments on these issues either through an update to this report or at Committee but provisionally has no objection to the proposals.

With regards to housing mix, officers have accessed and can confirm that the proposed scheme provides a range of dwelling types, tenures and sizes, including mix of market homes for sale. The current scheme proposes 66 units with a mix of 1-5 bed properties 6% one-bed self-contained flats; 6% two-bed self-contained flats; 18% two-bed dwellingshouses; 35% three-bed dwellingshouse, 30% four-bed dwellingshouse and 5% five-bed dwellingshouse. The proposal conforms generally to 'Policy CP1' on 'Housing Provision, Housing Priorities and Housing Mix' and 'Policy CP2' on 'Housing Provision and Mix' and 'Policy MTRA2' from the adopted 'Local Plan Part 1, Joint Core Strategy 2013'.

Open Space Provision;

Officers have assessed the layout plans of both applications which shows that the applications together propose the delivery of significant amounts of public open space. In particular, the application proposes 19,342 m² of Informal Open Space to the South, 5,036m² of Public open space surrounding the dwellings, 452m² of Equipped Children's and Young People's Space; and 10,477m² of Natural Green Space. It is therefore considered that the level of open space provided from the development proposal complies with 'Policy CP7' on 'Open Space, Sport and Recreation' and 'Policy CP15' on 'Green Infrastructure' from the adopted from the adopted 'Local Plan Part 1, Joint Core Strategy 2013', and Para 73 from the 'NPPF' 2012.

Highway Implications

In terms of local planning policy, and site specific reference on access is mentioned within 'Policy BW3' from the 'Local Plan Part 2' which stipulates that:

"Planning permission will be granted provided that detailed proposals accord with the Development Plan and meet the following site specific development requirements to provide access points via Albany Road, Tangier Lane and The Avenue, including traffic management measures to address any potential problems at the junctions with Winchester Road and with on-street parking; provide a new/improved footpath/cycleway along the northern edge of the site as part of a route along the southern edge of Bishop's Waltham to link with Priory Park and the Martin Street Site (Policy BW2) and the Albany Farm site (Policy BW4)."

A transport assessment was undertaken for 'Local Plan Part 1 and 2' which indicated that the scale of development proposed in Bishops Waltham, and cumulatively in the wider area, can be accommodated, on local roads and along the B2177. The transport assessment undertaken on behalf of the Council in line with the Transport Accessibility Assessment maps, recognised that the development sites proposed in Bishops Waltham are predominately to the South-West of the town, and either accessed directly or indirectly from the B2177 alike that proposed here.

Vehicular access to the proposed site will be via Tangier Lane (North-West of the site), the applicant's agent has in their Planning Statement (Para 8.6 to 8.9) drawn the Council's attention to methods of proposed mitigation over potential access concerns, increased trip generation and general highway safety concerns through incorporate 'priority controlled T-junction' with 'localised widening along Tangier Lane' and 'visibility splays'.

The Local Planning Authority consulted Hampshire County Council Highways Authority, whose engineer made the following comments over access and trip generation;

".....The access works require modifications and amendments to the existing public highway, therefore Hampshire County Council has been consulted who have confirmed that they have no highway objections to the proposals, subject to the applicant entering into a formal legal agreement prior to development commencing.

The application proposes 66 residential dwellings and in order to provide a robust assessment of the number of vehicle trips generated by the proposed development, the TRICS database has been interrogated to determine suitable trip rates for the proposed residential use at the site. The database estimates that the proposed development would generate 35 two-way vehicular trips in the AM peak and 31 two-way vehicular trips in the PM peak. As a result, it is considered that the development would have no material impact on the local highway network. Junction assessments have been undertaken for the Tangier Lane/Winchester Road priority junction, Albany Road / Winchester Road priority junction and the Winchester Road / B3035 / B2177 / Station Road / Victoria Road roundabout. Cumulative impact assessments have also been undertaken to assess the effect of all the proposed developments coming forward simultaneously. The results show that the proposed developments will have a negligible impact on the surrounding highway network."

The applicants Transport Assessment was also submitted to the Local Highways Authority who decided the highway implications have been deemed acceptable subject to a number of planning conditions. The Highways Authority concluded their assessment:

"The application seeks approval for a Phase 2 development for a further 66 dwellings, to be served from the cul de sac proposed as part of Phase 1. The transport assessment that has been submitted looks at the cumulative impact on the highway network that will take place from both this proposal and the development proposed as Phase 1. The results indicate that the junctions will operate well within capacity during peak periods, with the Tangier Lane and The Vineyard development

traffic added to the network, and it is concluded that the cumulative development will have a negligible effect on this made the following conclusion.”

Subject to condition and further submission of particulars, and they being acceptable by the Highways Engineer and the Local Planning Authority, the proposal at this phase is considered to not adversely affect the safety and convenience of other highway users in keeping with ‘Policy CP10’ on ‘Transport’ from the adopted ‘*Local Plan Part 1, Joint Core Strategy 2013*’, and ‘Policy T2-T4’ on ‘Transport and Parking’ from the ‘*Local Plan Review 2006*’, and ‘Policy DM17’ on ‘Access and Parking’ from the ‘*Local Plan Part 2*’, and Supplementary Planning Document on ‘Residential Parking Standards 2009’, and Para 34 from the ‘*NPPF 2012*’.

Arboricultural Impacts:

A line of mature Oak trees defines the North-Eastern boundary of the site, a total of 44.No. trees have been identified here which are served and protected by Tree Preservation Orders (TPO Ref: 00184-2003-TPO). Along the Western boundary lies a mature tree belt aligning with Tangier Lane, whilst the Eastern boundary is formed by a part hedgerow/part tree belt forming a strong visual screen from the adjacent playing field at Priory Park. The Southern boundary of the site is largely open but includes a distinctive line of *Leylandii* trees, and form a key landscape feature.

An Arboricultural Impact Assessment report has been submitted with the application and outlines that every effort has been made to retain these trees wherever possible, the protected trees remain unaffected as would the views of the landscape, the proposal therefore falls in accordance to the provisions as set out within ‘Policy DM23’ on ‘Special Trees, Important Hedgerows and Ancient Woodlands’ from the ‘*Local Plan Part 2*’, and Para 118 from the ‘*NPPF 2012*’.

Archaeological Impacts:

The application site does not lie within a designated site of archaeological importance and there is no evidence for archaeological remains within the site of a significance that would preclude development. This application has however been accompanied by a desk-based Archaeological Assessment, comments received from the Councils Archaeologist has confirmed that any archaeological remains which may be present within the application site are unlikely to be deemed worthy of preservation and thus form an overriding constraint and as such there is no objection in principle to the proposal on archaeological grounds. Subject to a staged programme of archaeological mitigation work being secured via appropriately worded planning conditions the scheme will comply with ‘Policy DM25’ on ‘Archaeology’ from the ‘*Local Plan Part 2*’ and saved ‘Policy HE1’ on ‘Archaeological Site Preservation’ and ‘Policy HE2’ on ‘Archaeological Site Assessment’ from the ‘*Local Plan Review 2006*’, and ‘Policy CP20’ on ‘Heritage and Landscape Character’ from the adopted ‘*Local Plan Part 1, Joint Core Strategy 2013*’, and Para 128 and 129 from the ‘*NPPF 2012*’.

Landscape and Ecology/Biodiversity Impacts:

The application site itself is not subject to, nor located adjacent to, any area identified by a statutory or non-statutory nature conservation designation. The application is however within close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. The application site does fall within 5.6km of Solent and Southampton Water SPA and in close proximity to Upper Hamble Estuary and Woods SSSI and The Moors, Bishop's SSSI. The applicant has submitted an Ecological Appraisal Report which covers the site and the land to the west of Tangier Lane, this report was examined by Natural England and no objection raised subject to a series of informatives being applied should planning consent be granted. Notwithstanding this, any future consents over the different phases of planning approval can and should safeguard the wildlife on the site (if any are identified) with measures delivered through an Ecological Management Plan which can be secured by condition, which at this phase of the scheme is unwarranted.

Independently, officers have conducted a site appraisal and identified the vast majority of the site to be of low to moderate ecological value, as such the loss of this grassland for development is of little to no ecological significance or landscape value. Notwithstanding this, the perimeter of the site to the Northern, Eastern and Western boundaries would form part of an ecological network which may hold host to habitats and species not yet identified. The development proposal, subject to informatives and developer compliance would adhere to 'Policy CP16' on 'Biodiversity' from the '*Local Plan Part 1, Joint Core Strategy 2013*' and the Councils 'Biodiversity Action Plan 2005', and Para 117 from the '*NPPF 2012*'.

Flooding/Drainage Impacts:

The application site lies within Fluvial Flood Zone 1, which is recognised as low probability of flooding from rivers and sea. This application has however been accompanied by a site specific Flood Risk Assessment and a Proposed Foul Drainage Strategy.

The Councils Drainage Officer has confirmed that the site does fall into a Flood Zone 1 and as such no Flood Risk Assessment was necessary yet provided. The applicant's agent, from their planning statement (paragraph 10.10) has stated that 'the scheme has been designed to incorporate a sustainable urban drainage system (SUDS) in the form of attenuation basins. Foul water will be disposed of via a sewerage network and necessary pumping facilities', no objection raised by the Councils Drainage Officer subject to appropriate conditions being applied.

Southern Water have also been consulted and have confirmed that capacity for this phase is OK, Southern Water therefore support the application and seeks appropriate planning conditions to be applied. The development proposal therefore, subject to condition complies with 'Policy CP17' on 'Flooding, Flood Risk and the Water Environment' and 'Policy CP21' on 'Infrastructure and Community Benefit' from the '*Local Plan Part 1, Joint Core Strategy 2013*', and Para 99 AND 103 from the '*NPPF 2012*'.

Education

Focusing on the potential pressures on existing educational establishments (as highlighted by numerous complainants during the public consultation period), the Local Planning Authority have consulted Hampshire County Council's Local Education Authority who have expressed that the proposed development of 66 dwellings is expected to generate a total of 19.8 additional primary age children and 13.86 secondary age children. This is based on a figure of 0.3 primary age children per new dwelling and 0.21 secondary age which, was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary and secondary age children on those developments. The development site is served by Bishops Waltham Infant and Bishops Waltham Junior School in Bishops Waltham. These schools are forecast to be full with no places available to cater for the additional children that will be yielded from this development. The development site is served by Swanmore College in (Swanmore), the Secondary School currently has capacity but is forecast to be full considering this and other development within its catchment.

In consultation with the Hampshire County Council's Local Education Authority, contributions are sought towards the expansion of Bishops Waltham Infant and Junior Schools and Swanmore College which are considered necessary because the schools are currently forecast to be at capacity and without expansion will not be able to accommodate the children from the development. The contribution will be spent on improvements to the schools which serve the site and therefore are directly related to the development. Subject to the appropriate levels of financial contribution made by the developer, the scheme would be considered acceptable in planning terms in accordance with 'Policy DS1' on 'Development Strategy and Principles' and 'Policy CP21' on 'Infrastructure and Community Benefit' and Policy CP6' on 'Local Services and Facilities' from the Councils '*Local Plan Part 1 - The Joint Core Strategy 2013*'; and Para 168 from the '*NPPF 2012*'.

Conclusion

This site is one of the locations identified by the local community for additional housing in Bishops Waltham. The proposal meets the requirements of policy BW3 and following revisions to the design and layout it now represents an acceptable scheme in keeping with the general vernacular of the area, minimising its impact on the wider countryside setting. It will provide much needed housing and will improve pedestrian and cycle connections along the south of the town. It is therefore recommended for approval.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for:

- 40% affordable housing;
- Management of open space;
- Education provision
- Highway works;
- Public access to all footpaths/cycle ways
- Contributions towards strategic footpath and cycleway

the Local Planning Authority has had regard to the tests laid down in para 204 of the NPPF which requires the obligations to be necessary; relevant to planning; directly

related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

Application Permitted subject to the following condition(s) and legal agreement to secure the following:

- 40% affordable housing;
- Management of open space;
- Highway works;
- Public access to all footpaths/cycle ways
- Contributions towards strategic footpath and cycleway

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

Conditions

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The submission of all reserved matters and the implementation of development shall be carried out in substantial accordance with the following amended plans and documents;

- 'Illustrative Site Layout Plan' submitted on 02.09.2016 labelled drawing no: '2064-C-1007-G'
- 'Illustrative Landscaping Master Plan' submitted on 05.09.2016 labelled drawing no: '2583-LA-11 Rev P1'
- 'Addendum Design and Access Statement' submitted on 01.09.2016

Reason: To define the scope of this permission to comply with Section 91 of the Town and Country Planning Act 1990.

4. The number of dwellings permitted to be constructed at the site shall be 66.

Reason: To accord with the emerging Policy CC1 of the Winchester Local Plan Part 2 and to define the scope of this permission.

5. The dwellings permitted to be constructed at the sites shall not exceed 2 ½ storeys in height.

Reason: In the interests of local amenity and to define the scope of this permission

6. The number of car parking spaces for the residential development shall comply with the requirements set out in the Winchester City Council Parking Strategy 2014-2018, or any replacement requirement in force at the time of the Phase application.

Reason: For the purposes of sustainability and to define the scope of this permission.

7. Approval of the details of the siting, design and external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced. Plans and particulars of the reserved matters shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters details shall be carried out as approved and fully implemented before the buildings are occupied: The plans and particulars shall specify the following detailed proposals:

- a) The layout, siting and scale of all buildings and structures, including the finished levels (above ordnance datum) of both the ground floor of proposed buildings and the surrounding ground levels;

- b) The design and external appearance of all buildings and structures, including details of the colour and texture of external wall and roof materials to be used, with samples and/or sample panels of the materials to be made available and/or constructed on site for inspection by the Local Planning Authority where directed. This shall include the following external materials and detailing:

- The roofs materials on all buildings shall be clay plain tiles and/or natural slates.
- Where hipped roofs with clay tiles are proposed then clay bonnet hip tiles shall be used.
- The roof materials of porches shall be the same as those proposed on the host building or they shall be lead or an alternative metal. No GRP shall be used.
- The eaves and bargeboard details shall be a matt dark grey or matt black colour.
- All rainwater goods shall be black.
- Window frames and door frames shall be recessed by a minimum of 75mm.

- Window frames and door frames and doors shall be timber or metal.
 - Garage doors shall be of a vertical slatted design.
 - Brick elevations shall be of a 'soft stock' type.
 - Only 'natural' timber cladding shall be used on elevations.
 - Only clay plain tiles shall be used on elevations.
 - Where garden boundaries are adjacent to the public realm they shall be constructed as walls.
 - The external materials of the chimneys shall be the same as those used on the host building and no GRP shall be used.
- c) Details of the width, alignment, gradient and type of construction proposed for the roads and footways including all the relevant cross-section and longitudinal sections showing the existing and proposed levels together with the details of street lighting and the method of disposing of surface water, and details of a programme for the making up of the roads and footways.
- d) Hard and soft landscape details including:
- i. a landscape design showing the planting proposed to be undertaken which shall include eight Heavy Standard Oak trees to be planted behind the existing avenue of trees on Winchester Road. All planting must conform to the British Standard for planting BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations;
 - ii. the materials to be used for paved and hard surfaces including finished ground levels, the location and design of street furniture, signs, lighting, refuse storage units and other minor structures to be installed thereon;
 - iii. contours for all landscaping areas;
 - iv. details of all trees, bushes and hedges which are to be retained;
 - v. the position, design and materials of all proposed boundary treatments (including all walls, fences and other means of enclosure);
 - vi. tree pit details, sections and detail plans showing how any street tree planting will thrive and grow without lifting adjoining paving;
 - vii. the location of all landscape planting in relation to existing and proposed underground services;
 - viii. planting plans and schedules of plants, noting species, sizes and numbers/densities of the trees and shrubs to be planted;
 - ix. lighting to roads, footpaths and other public areas, and
 - x. a written specification for the landscape works (including a programme for implementation, cultivation and other operations associated with plant and grass establishment);
 - xi. detailed plans, sections and supporting technical reports defining the footpath/cycleway route and links to the Sawmill Tollgate Site, the Vineyard site, Winchester Road, the informal open space to the south, and anywhere else on site where this route would affect trees or the Park Lug. For the link between BW4 and BW5 these details need to comply with - LPP2 supporting document 'Park Lug potential crossing area between BW4 and BW5'.

The particulars submitted in relation to the soft landscape plans shall include:

- e) a plan showing the location of, and allocating a reference number to, each existing tree which has a stem with a diameter (when measured over the bark at a point 1.5 metres above ground level) exceeding 75mm, identifying which trees are to be retained and the crown spread of each retained tree;
- f) details of the species, diameter (when measured in accordance with (1) above), approximate height and an assessment of the health and stability of each retained tree details of any proposed topping or lopping of any retained tree;
- g) details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree.

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 satisfactory comprehensive development and proper planning of the area.

8. The reserved matters application shall be accompanied by:

- a) A detailed surface water and foul drainage scheme. The scheme shall include detailed engineering plans, supporting calculations, materials plans and cross sections for all required infrastructure and details of measures to be taken to divert the public foul sewer. The scheme shall be managed and maintained in accordance with the approved details.
- b) Details of the provision being made for the storage of waste
- c) A Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:
 - Measures to be undertaken to minimise impacts on surrounding land.
 - Timetable and dates for stages of the development, including land restoration at the completion of construction works.
 - Measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway.
 - Provisions to be made for the parking and turning of operative and construction vehicles during the period of development including times of movement so as to avoid peak period traffic, neighbour notification, use of pointsmen etc.
 - Dust suppression, mitigation and avoidance measures.
 - Measures for minimising construction waste and provision for the re-use and recycling of materials.
 - Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.

- A traffic management plan for construction vehicles entering and leaving the site, including times of movement so as to avoid peak period traffic, neighbour notification, use of pointsmen etc.
- Floodlighting and security lighting. (note: this must be directed in such a way as not to cause nuisance to adjoining properties or adjacent highway).
- Code of Construction Practice for all works and operations on the site.
- Measure to be taken to prevent contaminants from entering watercourses or the water environment and to protect drainage infrastructure.
- Use of fences and barriers to protect adjacent land, footpaths and highways.

The Construction management plan shall be adhered to throughout the duration of the construction period.

- d) A statement demonstrating that all homes meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes).
- e) A comprehensive Habitat Management Strategy document that combines all ecological issues including compensation and mitigation.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses and to ensure satisfactory comprehensive development and proper planning of the area.

9. No development shall commence until such time as further details of the access arrangements for the site access onto Tangier Lane as shown in principle from the submitted Illustrative Site Layout Plan labelled drawing no: '2064-C-1007-G' have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interest of highway safety

10. Prior to the commencement of the development hereby permitted full details (in the form of (the siting of all buildings and the means of access thereto from an existing or proposed highway, including the layout, construction and sightlines) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interest of highway safety

11. Prior to the commencement of the development hereby permitted full details (demonstrating the provisions to be made for the parking, turning, loading and unloading of vehicles (including cycle parking provision)) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in the interest of highway safety

12. The detailed plans hereby approved shall include access and parking facilities for disabled people, and the use [of the buildings] hereby permitted shall not commence until these facilities for the disabled have been provided in accordance with plans and specifications approved in writing by the Local Planning Authority.

Reason: To ensure adequate access provision for disabled persons

13. Prior to the commencement of the development hereby permitted full details (demonstrating the provisions to be made for contractors vehicles parking and plant, storage of building materials and any excavated materials, huts and all working areas) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in the interest of highway safety

14. 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:

- The programme and methodology of site investigation and recording
- Provision for post investigation assessment, reporting and dissemination
- Provision to be made for deposition of the analysis and records of the site investigation (archive)
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

15. Following completion of 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. The report shall be submitted to and approved by the local authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available

16. No development shall take place unless otherwise agreed in writing until 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 BS10175:2011 Investigation of potentially contaminated sites - code of practice; CLR 11 - Model procedures for the management of land contaminations; 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) An additional site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the Hydrock desk study and ground investigation report (Ref: R/151345/001 Rev 2; May 2016);
- b) 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

17. 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.

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

18. 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.

19. No development shall commence until full details of means of surface water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained

20. No development shall commence until full details of the proposed means of foul and surface water sewage disposal have been submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development.

Reason: To ensure that the development is properly drained

Informatives:

1. Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refuse, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.
3. The presence of European protected species, such as bats, is a material consideration in the planning process and the potential impacts that a proposed development may have on them should be considered at all stages of the process. Occasionally European protected species, such as bats, can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, it is advised that the developer stops work immediately and seeks the advice of the local authority ecologist and/or the relevant statutory nature conservation organisation (e.g. Natural England). Developers should note that it is a criminal offence to deliberately kill, injure or capture bats, or to deliberately disturb them or to damage or destroy their breeding sites and resting places (roosts). Further works may require a licence to proceed and failure to stop may result in prosecution.
4. The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981, and the Countryside & Rights of Way Act 2000. Under the 2000 Act, it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD. Their telephone number is 0845 1300 228.

5. 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.
6. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice on this please refer the Construction Code of Practice considerate practice: <http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>