

PLANNING DEVELOPMENT CONTROL COMMITTEE

8 March 2007

Attendance:

Councillors:

Jeffs (Chairman) (P)

Baxter (P)

Bennetts (P)

Beveridge (P)

Busher

de Peyer (P)

Evans (P)

Huxstep (P)

Lipscomb (P)

Johnston (P)

Read (P)

Ruffell (P)

Saunders (P)

Sutton (P)

Deputy Members

Councillor Hammerton (Standing Deputy for Councillor Busher)

Others in attendance who addressed the meeting:

Councillors Higgins, Mather, Rees, Pines, Stallard and Wright

1. **APOLOGIES**

Apologies were received from Councillor Busher.

2. **MINUTES**

RESOLVED:

1. That the minutes of the previous meetings of the Committee held 21 December 2006 and 11 January 2007 be approved and adopted.

2. That the minutes of the previous meeting of the Committee held 1 February 2007 be approved and adopted subject to a correction, as shown in bold below, to Minute 775 (referring to Item 1: Downlands Estate Development, Downlands Way, South Wonston – Case Number: 06/02159/OUT):

‘Councillor Wright (a Ward Member) spoke against the application. In summary, he raised concerns about the use of Lower Road/**Ox Drove** as an access to the site, which was currently used by cyclists and walkers as a rural link to Farley Wood.’

3. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC672 refers)

The Schedule of Development Control Decisions arising from the consideration of the above Report is circulated separately and forms an appendix to the minutes.

Councillor Sutton declared a personal and prejudicial interest in respect of Items 3 and 4 as the applicant was known to her and she left the room during consideration of these items.

Councillor Lipscomb declared a personal (but not prejudicial) interest in respect of Item 5, as he was the Council's representative on the South Downs Joint Committee which had commented on the application, although he had taken no part in that process. He therefore spoke and voted thereon.

By way of personal explanation, Councillors Beveridge, Bennetts, de Peyer and Saunders drew attention to Item 5, where their level of prior involvement with the proposal as members of the Winchester Town Forum may have risked the perception of predetermination. However, they considered that they had not formed an opinion on the planning application, and they spoke and voted thereon.

By way of personal explanation, Councillor Evans drew attention to Item 5, where her level of prior involvement with the proposal as previous Portfolio Holder for Culture, Heritage and Sport may have risked the perception of predetermination. Councillor Evans had chaired the initial meetings with regard to the proposal, but had not formed an opinion on the planning application, and she spoke and voted thereon.

In the public participation part of the meeting, the following items were discussed:

Item 1: East Stratton Village Hall, Church Bank Road, East Stratton - Case Number: 06/03471/FUL

Mr Winters spoke in opposition to the application and Mr Hilling, Mr Botham (representing Micheldever Parish Council) and Councillor Wright (a Ward Member) spoke in support.

In summary, Councillor Wright stated that the local community used the existing Village Hall frequently, but it was now unfit for purpose. The proposal for a larger hall was a response to an increased local population and would also encourage further community use. He referred to the support given by residents of the village in raising funds for the scheme. Councillor Wright was concerned that some of the conditions to be applied to any subsequent planning permission (in particular, Conditions 7 and 12) were onerous. He reminded Members that the existing hall had generated no complaints from residents regarding noise and disturbance and that improved sound acoustics would provide additional remediation. He suggested that this issue would be better dealt with by appropriate Licensing legislation.

The Director of Development advised that since publication of the Report, the following corrections and clarification should be made:

The footprint of the proposed building is 200 square metres, excluding the verandah. The maximum ridge height of the existing hall is 5.5 metres above ground level, not 4.4 metres as specified in the report. The existing lower outshot, to the east elevation, has a maximum ridge height of 4.4 metres.

The Director also reported that since publication of the Report, the amended parking, bin and cycle store layout had been assessed by the Highway Engineer and had submitted the following comments:

'In accordance with HCC standards, the hall generates a requirement for 12 spaces. The proposal includes 17, which is in excess of the requirement, with the undercover cycle store details to be submitted under conditions. No objection subject to conditions.

The submitted acoustic report provides a survey of existing noise levels and confirmation of a noise control strategy for the new hall, specifying the standards for construction, glazing, ventilation and sound insulation and the installation of a proprietary sound level limiter system, in order to minimize noise disturbance to neighbouring residential properties, particularly during evening hours'.

The Director also advised that, since publication of the Report, the applicant's acoustic report had been assessed by the Environmental Health Officer who made the following comments:

'I am satisfied that the conclusions will adequately address the issues identified. The proposed structure of the hall with glazing, appropriate sound insulation properties, an attenuated mechanical extract ventilation system and supply grills, ceiling insulation, and lobbied main entrance will provide sufficient attenuation of entertainment noise provided doors and windows are kept closed and a sound level limiter system installed to operate a level of Leq(5 min) of 90 dB(A) with appropriate control of bass frequencies inside the building. Conditions and informatives recommended'.

The Director also reported that additional and amended conditions and informatives had been drafted further to responses to the consultations detailed above. In summary, these included additional conditions 12 -16 with regard to noise and disturbance and also disruption during the construction period. Subsequent to the addition of these conditions, a letter from the applicant had been received with concerns that the conditions with regard to noise would be an unreasonable burden on the management of the facility.

During discussion, the Director explained that concerns raised by residents of loss of amenity due to noise disturbance from the new hall, had been balanced by the addition of Conditions to restrict its hours of use. Such conditions were typical of those for similar facilities and, by protecting residents from the possibility of regular events creating a disturbance, were a response to material planning considerations of loss of amenity.

The Director confirmed that Conditions 7, 8, 11, 12 and 13 had been drafted in consultation with the Environmental Health officer, further to the applicant's acoustics report. Following questions, it was acknowledged that the Conditions were similar to those which would be imposed by licensing legislation, but that they provided additional control, because licensing legislation would not necessarily cover all events held at the proposed hall. It was confirmed that the operator would be required to provide a schedule of planned events which involved amplified entertainment outside the village hall and/or outside the specified hours to the Director of Development for written approval, in consultation with Environmental Health. This would be in addition to any Licensing obligations.

Following further debate, the Committee agreed to grant planning permission subject to the conditions set out in the Report, and detailed above.

Item 2: Plot 6 Danebury Homes Development, Airlie Road, Winchester – Case Number: 06/03740/FUL

Mrs Drydon and Councillor Mather (a Ward Member) spoke against the application and in support of the officer's recommendations to refuse.

In summary, Councillor Mather advised that the application would exacerbate existing traffic problems in the area, notably at the nearby dangerous bend on Airlie Road. She also stated that the proposal was a considerable overdevelopment of the site and was detrimental to the local environment and to the amenity of neighbours, in particular by overlooking 3 Wentworth Grange. In addition, as the size of the dwelling had increased, the previously approved landscaping scheme could not be implemented. Whilst acknowledging that the site was outside the Sleepers Hill Local Area Design area, Councillor Mather also suggested that the application would have a negative impact on its aims.

The Director of Development apologised that the incorrect site plans had been included within the Report and the correct ones were presented to the Committee.

At the conclusion of debate, the Committee agreed to support the officer's recommendation to refuse planning permission for the reasons set out in the Report.

Item 3: Yew Tree Service Station, Romsey Road, Pitt, Winchester – Case Number: 06/03680/OUT

Mr Easter (applicant) spoke in support of the application.

The Director of Development advised that, since publication of the Report, the applicant's agent has advised that an environmental consultant has been instructed to resolve the Environment Agency's objection to the scheme, with regard to remediation of the site. However, as yet no information has been received from the Environment Agency. The Director also confirmed that, since publication of the Report, a contribution towards public recreational open space had been received by the Council. Therefore, Reason for Refusal 4 in the Report should be deleted.

During discussion, the Director explained that an exception to policies in this case could set a precedent for similar applications for the residential redevelopment of redundant sites in the countryside. Although policies did allow for change of use in certain circumstances, it was acknowledged that this site's isolated and unsustainable countryside location, together with its existing infrastructure as a petrol filling station, would make this difficult.

In referring to a similar proposal at Twyford Moors that had been won on appeal, the Director reported that although this site was also in countryside, the Inspector had made a distinction that its location was not isolated. Furthermore, that site was adjacent to homes and its previous use as a garage had been un-neighbourly.

After debate, the Committee agreed to support the officer's recommendation to refuse planning permission for the reasons set out in the report.

Item 4: Yew Tree Service Station, Romsey Road, Pitt, Winchester (change of use from shop to residential and relief of condition tying existing dwelling to service station) – Case Number: 07/00006/FUL

Mr Jezeph (applicant's agent) spoke in support of the application.

The Committee agreed to support the officer's recommendation to refuse planning permission for the reasons set out in the report.

Item 5: Bar End Playing Fields, Milland Road, Winchester – Case Number: 06/03721/FUL

Mr Doyle spoke against the application. Mr Geddes (for the applicant) and Councillors Pines and Higgins (Ward Members), Rees (a neighbouring Ward Member and Chairman of the Winchester Town Forum) and Stallard (Portfolio Holder for Culture, Heritage and Sport) all spoke in support.

In summary, Councillor Pines reiterated his broad support for the proposals, but suggested that there should be ongoing engagement and consultation with local residents, to address their concerns as detailed in the Report. The points to be addressed related to community access to the facilities, concerns over noise, disturbance and light pollution. Furthermore, the proposals should not exacerbate existing traffic and parking issues in the vicinity, especially Milland Road and neighbouring roads, where he suggested that a 20 mile per hour zone be formally implemented.

Councillor Higgins also spoke in broad support of the proposals. He also referred to the applicant's intention not to increase parking provision on site (by utilising the nearby Park and Ride facility) and of their assessment that traffic generation to the site would be minimal. He suggested that additional traffic in the area was inevitable. He requested that a 20 mile per hour zone be implemented in the area. Councillor Higgins also requested that drainage of the site should be further investigated, as occurrences of standing water at the site after heavy rain could be exacerbated and potentially flood adjacent gardens at Chilcomb Lane. In summary, Councillor Higgins stated that there should be ongoing engagement and consultation with local residents, with regard to the future management of the site and of the attenuation of any concerns.

Councillor Rees applauded the applicant's responsible and conscientious approach, including extensive consultation, in drafting the application. In support of the proposals, he stated that the scheme would present significant benefits for the local community and for the district. He also considered that the detailed conditions addressed most potential problems.

Councillor Stallard, as Portfolio Holder Culture, Heritage and Sport, reiterated her strong support for the application. The proposed facilities would be of huge benefit to the University and for residents. Support for the scheme would also allow for a bid to go forward for the facility to be a pre 2012 Olympic training camp, with greater economic and social benefits.

The Director of Development advised that since publication of the Report the following response had been received from the Sites and Monuments officer:-

“Consultation of records indicates that this development may have archaeological implications. During the recent construction of the existing sports pavilion and new access from Milland Road, an archaeological watching brief was maintained. Several palaeo-channels (former watercourses) were identified, the fills of which contained flint artefacts, probably of Bronze Age date. Furthermore, evidence from previous

observations and reports of finds in the Highcliffe / Bar End area suggests that this was a focus for Roman activity and occupation.

The proposed development may impact on further palaeo-channels in this area, which are likely to contain important environmental and artefactual data, which can provide information on the past landscape history and on early human activity in this area. The proposed development may also impact on Roman remains, particularly as Bar End Road follows the alignment of a Roman road.

If this application is to be recommended for approval, the following condition should be attached in accordance with the principles of PPG16 and Policy HE.1 of the Winchester District Local Plan Review:

A010: No development, or site preparation prior to development which has any effect on disturbing or altering the level or composition of the land, shall take place within the site until the applicant (or their agents or successors in title) has secured and implemented a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.”

The Director also reported that two additional letters of representation had been received from residents. One letter reiterated reasons for objection as already highlighted in the Report. The other letter did not object to the proposals, but raised concern about the floodlighting being excessive. He also reported on an error in condition 13 in the Report which should have the additional words in bold added:

Before the development hereby permitted is commenced, a scheme indicating the provision to be made for disabled people to gain access **to the site** shall be submitted to and approved in writing by the Local Planning Authority.

During discussion, the Hampshire County Council Highways Officer reported that the applicant's Travel Plan for the proposals had identified a need for highway improvements to facilitate safe pedestrian routes. It was confirmed that this would be progressed at additional cost to the applicant, to be secured under a section 278 Agreement. He reiterated that it was not intended to increase parking provision on site or in adjacent streets, as the Park and Ride facilities had been identified to accommodate this. The Committee requested that, as part of any subsequent approval of the application, the applicant's Travel Plan must be complied with, so as to ensure that the existing traffic and parking problems were not exacerbated.

Members noted the general satisfaction demonstrated by the consultant appointed by the applicant and of the Hampshire County Council Lighting Engineer with regard to installation and calibration of the floodlighting. In order to ensure that the floodlighting continued to have minimal impact in the vicinity and wider area, it was agreed that an additional condition be imposed, specifying that by way of a regular inspection and maintenance regime, the applicant demonstrate that any subsequent issues that may become apparent would be promptly addressed.

Following further debate, the Committee unanimously supported the application, subject to conditions as set out in the Report and detailed above, including an additional condition with regard to the future maintenance of floodlighting (with detailed wording to be agreed by the Director of Development, in consultation with the Chairman).

RESOLVED:

1. That the decisions taken on the Development Control Applications, as set out in the schedule which forms an appendix to the minutes, be agreed.

2. That in respect of Item 5, planning permission be granted subject to conditions and that authority be delegated to the Director of Development, in consultation with the Chairman, to agree an additional condition with regard to the future maintenance of floodlighting.

5. **MINUTES OF THE PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE HELD ON 19 FEBRUARY 2007**
(Report PDC674 refers)

The above item had not been notified for inclusion on the agenda within the statutory deadline. The Chairman agreed to accept the item onto the agenda, as a matter requiring urgent consideration, so that the Committee were aware of the information without delay.

The Committee considered the minutes of the Planning Development Control (Viewing) Sub-Committee held on 19 February 2007 (attached as Appendix A to the minutes) which related to an application at Downlands Way, South Wonston.

RESOLVED:

That the minutes of the Planning Development Control (Viewing) Sub-Committee held on 19 February 2007 be received.

4. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
#	Land at Leander House (formerly Plot 4600) Solent Business Park, Whiteley – Planning Obligation	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (Para 5 to Schedule 12A refers).

5. **LAND AT LEANDER HOUSE (FORMERLY PLOT 4600) SOLENT BUSINESS PARK, WHITELEY – PLANNING OBLIGATION**

(Report PDC675 refers)

The Committee discussed a Report which set out proposals to authorise the release of an obligation, under a legal agreement, in respect of development at Leander House, Solent Business Park, Whiteley (detail in exempt minutes).

The meeting commenced at 9.30am and concluded at 2.15pm.

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

1 DECISIONS

08.03.2007

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Item
01

Parish	Micheldever
Conservation Area:	East Stratton Conservation Area
Case No:	06/03471/FUL
Ref No:	W08084/01
Date Valid:	27 November 2006
Grid Ref:	454088 140032
Team:	EAST
Applicant:	East Stratton Village Hall Committee
Proposal:	(AMENDED DESCRIPTION/PLANS) Replacement village hall with open sided veranda
Location:	East Stratton Village Hall, Church Bank Road, East Stratton, Hampshire
Recommendation:	PER

APPROVED SUBJECT TO THE FOLLOWING CONDITION(S):-

1 Conditions/Reasons

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

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

- 2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the village hall hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

- 4 A detailed scheme for hard and soft landscaping, including areas of tree and hedgerow retention and new planting, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout of any new planting and shall specify the surface materials for any hard surfaced areas, including the car park and access. Details of any fencing, walls or other means of enclosure shall be specified. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

- 5 Details of the proposed bin storage/enclosure and cycle storage provision shall be submitted to the Local Planning Authority and approved in writing before development commences. The approved details shall be fully implemented before the building is first occupied.

Reason: to ensure that bin and cycle storage is provided to a satisfactory standard in the interests of the amenities of the area.

- 6 An acoustic report shall be submitted to the Local Planning Authority and approved in writing before the development commences. Any works which form part of the noise protection recommendations shall be completed before the building is first occupied unless an alternative agreement is reached in writing by the Local Planning Authority. Such noise operation measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: to protect the amenities of occupiers of nearby properties from unreasonable noise levels.

- 7 No sound amplifying equipment or musical entertainment shall be played after 2300 hours unless previously agreed in writing with the Local Planning Authority.

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

- 8 All windows and doors shall be kept closed, other than for access and egress, when musical or other amplified entertainment is running in the hall, between the hours of 1900 and 0800. The french doors shall be kept closed and shall not be used for access or egress between the hours of 1900 and 0800, when musical or other amplified entertainment is running in the hall.

Reason: To protect the amenities of occupiers of nearby properties from unreasonable noise levels.

- 9 Large scale drawings and sections shall be submitted to the Local Planning Authority and approved in writing prior to the commencement of development to show details of the proposed windows, cupola, eaves, doors and porch. The drawings shall specify details and materials and the works shall be completed in accordance with the approved details.

Reason: to ensure that the architectural detailing for the building is appropriate and to preserve the character and setting of the Conservation Area.

- 10 Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles).

The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

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

- 11 No fireworks may be used at the site without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenity of the locality.

- 12 No music or speech shall be relayed via external speakers other than for events with the prior written approval of the Local Planning Authority.

Reason: to protect the amenities of neighbouring properties.

- 13 Noise from activities in the external areas of the hall, other than for car parking, should cease at 9pm or dusk, whichever is the earlier, unless previously agreed in writing with the Local Planning Authority.

Reason: to protect the amenities of neighbouring properties.

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

Reason: In the interests of highway safety.

- 15 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

- 16 The kitchen window to the east elevation shall be a fixed pane opening which shall be permanently closed, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of neighbouring residential properties.

Informatives

1. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: UB3, E8, E16, R1, R3
Winchester District Local Plan Review: DP1, DP3, DP4, DP5, CE4, CE5, RT14, T4, SF6, SF7

3. The Local Planning Authority will not approve any external lighting scheme, unless it has been designed with reference to agreed national or international standards for outdoor lighting. Such standards include an appropriate Lighting Guide published by the Chartered Institute of Building Service Engineers (CIBSE): <http://cibse.org/docs/fact72003.doc>); "Lighting of the Countryside" published by the Office of the Deputy Prime Minister <http://www.odpm.gov.uk/index.asp?id=1144822>) and, in particular, "Guidance Notes for Reduction of Light Pollution", Institution of Lighting Engineers (ILE) (<http://www.ile.org.uk/light-pollution.htm>). It is recommended that you have the installation designed by a suitably qualified person. Such a person can be found by contacting the Society of Light and Lighting, The Chartered Institution of Building Services Engineers, 222 Balham High Road, Balham, London, SW12 9BS. Tel +44(0)20 8675 5211, Email jdavid@cibse.org or the Institution of Lighting Engineers, Regent House, Regent Place, Rugby, CV21 2PN. Tel 01788 576492, Email info@ile.org.uk
4. 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 Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
5. No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.
6. The applicant is advised that there may be asbestos within the fabric of the building. The removal of such material may be subject to Licensing Regulations and Codes of Practice. For further information contact the Health and Safety Executive, Priestley House, Priestley Road, Basingstoke, Hampshire. RG24 9NW. Tel: 01256 404000.
7. The occasional use of the car park for special events, such as the village fete, is acceptable on an occasional basis, provided the car park is thereafter reinstated to car park use for the hall. During such events alternative parking provision for the event should be made available.

Item
02

Parish	Winchester Town
Conservation Area:	
Case No:	06/03740/FUL
Ref No:	W20454
Date Valid:	29 December 2006
Grid Ref:	447337 128864
Team:	EAST Case Officer: Mrs Jill Lee
Applicant:	Danebury Homes Ltd
Proposal:	Proposed residential development of 1 no 4 bedroom dwelling
Location:	Plot 6 Danebury Homes, Dev Airlie Road, Winchester, Hampshire

Recommendation: REF

4 REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON(S):-

2 Conditions/Reasons

- 1 On the basis of the lack of information regarding the levels and relationship with the neighbouring property the local planning authority is not convinced that the proposed development can be undertaken without detriment to the amenity of the occupiers of the adjacent property by reason of overlooking.
- 2 The proposal is contrary to the policies of the Hampshire County Structure Plan and 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. The proposal would also be likely to prejudice the Hampshire County Structure Plan (Review), the Winchester District Local Plan and the emerging Winchester District Local Plan (Review), in that it would undermine this Plan's Policies for recreational open space provision within the District.
(No Open Space)
- 3 The proposed development would result in the overdevelopment of the site with inadequate amenity space and insufficient room for landscaping. The proposed dwelling would not be in sympathy with the appearance and character of the local environment and would not be appropriate in scale, layout and design both in relation to adjoining buildings and the amenities of the occupiers of nearby dwellings.

Informatives

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

Hampshire County Structure Plan Review: UB3
Winchester District Local Plan Review: DP3, RT4

Item
03

Parish	Hursley
Conservation Area:	
Case No:	06/03680/OUT
Ref No:	W00420/20
Date Valid:	20 December 2006
Grid Ref:	444561 127638
Team:	WEST Case Officer: Mrs Jane Rarok
Applicant:	Mr And Mrs C Easter
Proposal:	Demolition and removal of petrol filling station followed by erection of 1 no. bungalow and garage. (OUTLINE - considering layout and access)
Location:	Yew Tree Service Station, Romsey Road, Pitt, Winchester, Hampshire SO22 5QP
Recommendation:	REF

2 REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON(S):-

3 Conditions/Reasons

- 1 The proposed development is contrary to policies C1, C2 and H10 of the Hampshire County Structure Plan 1996-2011 (Review), proposals CE5, CE20, CE22, DP3, DP10, DP13, RT4, H4 of the Winchester District Local Plan in that it:-
 - (i) represents the unacceptable establishment of residential development in the countryside for which there is no overriding justification in an exposed and unsustainable location, unrelated to any existing settlement.
 - (ii) allowing this proposal would create a potentially damaging precedent which would make it difficult to refuse similar applications. The cumulative impact of which further detract from the amenities of the countryside and create unsustainable patterns of development.
- 2 The proposal would create an undesirable precedent which would make it difficult to refuse further similar applications.
- 3 The proposal is contrary to policy E1 of the Hampshire County Structure Plan and DP12 and DP13 of the Winchester District Local Plan in that it does not provide sufficient information to demonstrate that the risk of pollution to controlled waters is acceptable. Based on the information submitted, the Local Planning Authority is not satisfied that the applicant has demonstrated a thorough understanding of the nature and extent of the risk of contamination of a major aquifer underlying the site. It fails to provide a desk study, initial conceptual model or preliminary risk assessment and suitable mitigation measures.

Informatives

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

Hampshire County Structure Plan Review: E1, UB3, C1, C2,
Winchester District Local Plan Proposals: DP3, DP12, DP13, CE20, CE22, RT4, H4

Item
04

Parish	Hursley
Conservation Area:	
Case No:	07/00006/FUL
Ref No:	W00420/21
Date Valid:	3 January 2007
Grid Ref:	444561 127638
Team:	WEST
Applicant:	Mr And Mrs C Easter
Proposal:	Change of use from shop to residential and relief of condition no 2 (W00420/07) tying existing dwelling to service station.
Location:	Yew Tree Service Station, Romsey Road, Pitt, Winchester, Hampshire SO22 5QP
Recommendation:	REF

1 REFUSED SUBJECT TO THE FOLLOWING REASON(S):-

4 Conditions/Reasons

- 1 The proposed development is contrary to policies H10 of the Hampshire County Structure Plan 1996-2011 (Review) and policy DP3 of the Winchester District Local Plan in that the removal of this condition, which seeks to protect the amenities of the occupiers of the dwelling, would result in unsatisfactory living conditions in terms of noise and disturbance from the adjoining commercial use of the site.

Informatives

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

Hampshire County Structure Plan Review: H10
Winchester District Local Plan Proposals: DP3

Item
05

Parish	Winchester Town
Conservation Area:	
Case No:	06/03721/FUL
Ref No:	W17984/03
Date Valid:	21 December 2006
Grid Ref:	449027 128632
Team:	EAST
Applicant:	University Of Winchester
Proposal:	New athletics track with associated field event facilities plus floodlighting; new all weather hockey pitch plus floodlighting; extension to existing sports pavilion, ancillary works, perimeter fencing and associated landscaping
Location:	Bar End Playing Fields, Milland Road, Winchester, Hampshire
Recommendation:	PER

2 APPROVED SUBJECT TO THE FOLLOWING CONDITION(S):-

5 Conditions/Reasons

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

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

- 2 No development shall be commenced until a scheme has been submitted to, and approved in writing by the Local Planning Authority in respect of the following detail:

The provision of a surface water regulation system shall be designed and implemented to the satisfaction of the Local Planning Authority and be supported by detailed calculations. The runoff generated by the 1% probability storm must not exceed the runoff from the undeveloped site. The scheme shall include a maintenance programme and establish ownership of the drainage system.

- 2 Reason: To prevent flooding and ensure future maintenance.
- 3 Prior to commencement of the development a Sports Development Programme shall be submitted to and approved in writing by the Local Planning Authority. The programme shall be carried out and implemented in full accordance with the approved details.

Reason: To secure sufficient benefits to the development of sport.

- 4 There shall be a maximum of 8 floodlighting columns to the all weather hockey pitch and the height of these floodlighting columns should not exceed 16 meters, as specified in the submitted Landscape Analysis Report and Proposed Landscape Design drawing (PLL12.06-002). The floodlights shall not exceed the luminance levels and positioning set out in the Technical Report 106-0805-1 provided by Materials Science Consultants Ltd dated 7th December 2006. A remedial study shall be carried out by the applicants within three months of the commencement of the use of the hockey pitch to analyse the lighting impact and provide recommendations to address any subsequent issues. The report shall be submitted to the Local Planning Authority for approval and any recommendations shall be carried out to the satisfaction of the Local Planning Authority

Reason: In order to minimise light pollution.

- 5 There shall be a maximum of 12 floodlighting columns to the athletics track as depicted in the proposed landscape design drawing (PLL-12.06-002). The height of 8 of these floodlighting columns should not exceed 12 meters. The height of 1 of these floodlighting columns, located to the west of the athletics track, should not exceed 16 meters. The height of the remaining 3 floodlight columns located at the lower level at the southern apex of the track should not exceed 18 meters. The floodlights shall not exceed the luminance levels and positioning set out in the Technical Report 106-0805-1 provided by Materials Science Consultants Ltd dated 7th December 2006. A remedial study shall be carried out by the applicants within three months of the commencement of the use of the athletics track and hockey pitch to analyse the lighting impact and provide recommendations to address any subsequent issues. The report shall be submitted to the Local Planning Authority for approval and any recommendations shall be carried out to the satisfaction of the Local Planning Authority.

Reason: In order to minimise light pollution.

- 6 No floodlighting shall be used after 21.00hrs unless previously agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of residential properties in the locality.

- 7 No development shall take place until details and samples of the fencing surrounding the hockey pitch and surfacing to the hockey pitch and athletics track hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 8 The materials to be used in the construction of the external surfaces of the addition to the pavilion building hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

- 9 Details of provision of cycle parking on site shall be forwarded to the Local Planning Authority before development commences. The provision must be within those standards laid out in the Hampshire Parking Strategy and Standards.

Reason: To ensure cycle parking is provided in line with Planning Policy Guidance Note 13, 'Transport'.

- 10 Prior to commencement of development a Construction Traffic Management Plan must be submitted to and approved in writing by the Local Planning Authority and fully implemented before the development commences. Such measures shall be retained for the duration of the construction period.

Reason: In the interests of highway safety.

- 11 No development pursuant to the permission hereby granted shall commence until the applicant or their agents or successors in title has undertaken a detailed ecological

investigation and survey of the site and submitted the findings to the Local Planning Authority for consideration together with a scheme of mitigation and a programme for implementation of such measures. The approval in writing of the LPA shall be obtained before any work is commenced and the approved details shall be fully implemented as approved before the dwellings are occupied.

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

- 12 No sound amplifying equipment, which when operated is audible outside the premises, shall be installed in the premises without the prior written consent of the Local Planning Authority.

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

- 13 Before the development hereby permitted is commenced, a scheme indicating the provision to be made for disabled people to gain access to the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be fully implemented before the development hereby permitted is brought into use.

Reason: To ensure adequate provision for disabled access.

- 14 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:

- minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc):
- Soft landscape details shall include the following as relevant:
- written specifications (including cultivation and other operations associated with plant and grass establishment:
- implementation programme:
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- planting plans:
- proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- hard surfacing materials:
- means of enclosure, including any retaining structures:
- car parking layout:
- other vehicle and pedestrian access and circulation areas:
- existing and proposed finished levels or contours:

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

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

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

- 16 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

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

- 17 Details of measures to be taken to protect public sewers must be forwarded to the Local Planning Authority for approval (in consultation with Southern Water) prior to the commencement of development.

Reason: In order to protect the public sewer which crosses the application site.

- 18 Protective measures, including fencing and ground protection, in accordance with the visual tree assessment report prepared by Bill Kowalczyk Dip.Arb (RFS) F.Arbor. A dated 19.09.2006 and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

- 19 The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the visual tree assessment report prepared by Bill Kowalczyk Dip.Arb (RFS) F.Arbor. A dated 19.09.2006. Telephone 01962 848317.

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

- 20 The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848317.

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

- 21 No arboricultural works shall be carried out to trees other than those specified and in accordance with the visual tree assessment report prepared by Bill Kowalczyk Dip.Arb (RFS) F.Arbor. A dated 19.09.2006

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

- 22 Any deviation from works prescribed or methods agreed in accordance with the visual tree assessment report prepared by Bill Kowalczyk Dip.Arb (RFS) F.Arbor. A dated 19.09.2006 shall be agreed in writing to the Local Planning Authority.

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

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

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

- 24 Details of the colour of the lighting columns shall be submitted to the Local Planning Authority for approval. The lighting columns shall be retained in the colour approved by the Local Planning Authority.

Reason: In order to minimise visual impact on the surrounding landscape.

- 25 An inspection of the constructed floodlighting shall be carried out within six months of the commencement of the use of the lights and thereafter on a six monthly basis within the first three years of the use of the lights and shall make recommendations for continued maintenance regimes for consideration by the Local Planning Authority. The recommendations of the Inspection shall be carried out by the applicants in line with the report as approved by the Local Planning Authority.

Reason: In order to ensure that light pollution is minimised and the amenity of neighbouring residential properties is not adversely affected.

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

Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

Informatives

- 1 This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.
 - 2 The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: UB2, UB3, ED1, T1, T2, T3, T4, T5, T6, T7, R3, R4, C1, C2, E2, E6, E7, E8, E9, E12, E16
Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP8, DP10, DP11, DP12, CE4, CE5, CE6, CE7, CE28, HE4, SF8, RT2, RT8, T1, T2, T4, T5, T6, W1, W9
 - 3 A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water's Network Development Team (Wastewater) based in Otterbourne, Hampshire or www.southernwater.co.uk.
 - 4 A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water's Network Development Team (Water) based in Chatham, Kent or www.southernwater.co.uk.
 - 5 All works including demolition and construction should only be carried out between the hours of 0800 and 1800 hours Monday to Friday and 0800 and 1300 hours Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under the Control of Pollution Act 1974 may be served.
 - 6 No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, an Abatement Notice may be served under the Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under the Clean Air Act 1993.
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