

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 24 May 2007

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	06/03645/FUL	<b>Valid Date</b>	15 December 2006
<b>W No:</b>	02246/25	<b>Recommendation Date</b>	
<b>Case Officer:</b>	Mr Robert Ainslie	<b>8 Week Date</b>	<b>9 February 2007</b>
		<b>Committee date</b>	<b>24 May 2007</b>
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

<b>Proposal:</b>	Mixed use development including; food store and retail shop units (class A1 - A5), healthcare facility (D1), 7 no. dwellings and associated car parking and landscaping
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<b>Site:</b>	Alan Day (Honda) Ltd Stockbridge Road Winchester Hampshire SO22 5JG
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	Y	N	Y	N	N	Y

DELEGATED ITEM SIGN OFF		
<b>APPROVE</b> Subject to the condition(s) listed		
	<b>Signature</b>	<b>Date</b>
<b>CASE OFFICER</b>		
<b>TEAM MANAGER</b>		

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**AMENDED PLANS DATE: - 26<sup>th</sup> April 2007**

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**Item No:** 3  
**Case No:** 06/03645/FUL / W02246/25  
**Proposal Description:** Mixed use development including; food store and retail shop units (class A1 - A5), healthcare facility (D1), 7 no. dwellings and associated car parking and landscaping  
**Address:** Alan Day (Honda) Ltd Stockbridge Road Winchester Hampshire SO22 5JG  
**Parish/Ward:** Winchester Town  
**Applicants Name:** CM (Winchester) Ltd  
**Case Officer:** Mr Robert Ainslie  
**Date Valid:** 15 December 2006  
**Site Factors:** Tree Preservation Order  
**Recommendation:** Application Permitted

### General Comments

This application is reported to Committee because of the number of objections received and in the public interest.

This application includes amended plans showing alterations to the fenestration of the building together with additional landscaping details and alterations to the service access area facing onto Stockbridge Road.

This application follows an application last year for a larger scheme which is pending. The applicant submitted the current application during the consideration of the original application. The original scheme includes proposals for 9no residential dwellings and a taller building along Stoney Lane and facing Orchard Walk. The current application has been scaled down to reduce the impact from these two roads. There is only a single storey element facing onto Orchard Walk, with the height being dropped along Stoney Lane by the reduction in the size of the dwellings at first and second floor level. The number of the individual retail units has been reduced from 5 to 4 with the size also having been reduced.

### Site Description

The application site is .56ha in size and until recently was a petrol station and car showroom together with repair service. The land slopes down gently from north to south and currently has some mature trees at the north eastern boundary screening the site from Orchard Walk, a 2 storey block of residential flats, separated by a footpath which leads from Stoney Lane towards Fromond Road. Further to the north east lies an open amenity area in association with properties in Fromond Road.

Stoney Lane is characterised by a group of terraced retail units with flats above on the southern side of the road facing towards the application site. Across the road and to the east is Orchard Walk and then Weeke Methodist church. To the north east of the terrace of shops is an adult education centre.

Stockbridge Road is characterised by a green corridor of trees and vegetation on the approach from Sparsholt. As the road slopes down towards the local centre of Weeke, whilst the sylvan character remains, the retail centre clearly becomes obvious. Opposite the site, set behind a group of trees, is a local recreation ground.

To the north west of the application lies a vacant site, where the Chimneys Public house used to exist within Burnetts Close. This site has recently been the subject of a planning application and appeal for a proposed Aldi Store, which was dismissed. Burnetts Close is set back from, but

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running parallel with Stockbridge Road, separated by mature trees on a landscaped area.

### Proposal

The proposal is for a supermarket of 1868 sq m retail floorspace with 4 no smaller retail units facing onto Stoney Lane. The parking would be provided at basement level underneath the supermarket and accessed from Stockbridge Road. In addition, at first floor level there would be a healthcare facility (with a mezzanine level) covering 927 square metres of floorspace, additional storage back up area for the supermarket and 7 no dwellings (with a mezzanine level), which would face towards Stoney Lane.

The building would be set back from Stockbridge Road by approximately 27 metres separated by landscaping along the frontage and a disabled and parents and toddlers parking area, together with the access to the service area. The building would be set back by 6 to 8 metres from Stoney Lane with limited landscaping. The building would be set back from the footpath which runs alongside Orchard Walk by 5.5 metres and would have landscaping along this boundary. In addition, a small number of parking spaces, in association with the medical facility, would face onto Fromond Road along the north eastern side of the building.

The building would be 4 metres from the north western boundary with a strip of landscaping along this boundary.

In the southern corner of the site where Stoney Lane meets with Stockbridge Road, there would be a stair/lift tower, which would provide access to the healthcare facility and dwellings. Access to the supermarket would be on the Stockbridge Road frontage.

### Relevant Planning History

<b>W02246</b>	Erection of canopy over forecourt - Application Permitted - 22/05/1976
<b>W02246/01</b>	Erection of self service filling station - Application Permitted - 13/05/1977
<b>W02246/02</b>	Conversion of existing workshop vehicle store and bungalow to Motor Showroom workshops and spares building - Application Withdrawn - 25/02/1977
<b>W02246/03</b>	Erection of car sales showroom and conversion of (a) existing bungalow to motor vehicle spares department and (b) existing vehicle store to workshop - Application Withdrawn - 09/06/1977
<b>W02246/04</b>	Re-development of back area of Weeke Garage to include change of use of bungalow to spares department - Permitted - 27/02/1978
<b>W02246/05</b>	Use of land as site for temporary car sales building - Application Permitted - 05/12/1978
<b>W02246/06</b>	Installation of underground 3,000 gallon storage tank - Application Permitted - 07/12/1983
<b>W02246/07</b>	Installation of car washing unit - Application Permitted - 10/07/1985
<b>W02246/08</b>	Two storey storage/sales building - Application Permitted - 01/05/1986
<b>W02246/09</b>	Water tank building - Application Permitted - 08/12/1986
<b>W02246/10</b>	Alterations and extension to sales building and forecourt layout and alteration to entrance crossover - Application Permitted - 26/11/1987
<b>W02246/11/A</b>	Display of one illuminated box sign and one illuminated pole sign - Application Permitted - 18/12/1987
<b>W02246/12</b>	Petrol pump and underground 26,000 litres petrol storage tank - Application Permitted - 15/08/1988
<b>W02246/13A</b>	Internally illuminated signage - Application Refused - 18/09/1989
<b>W02246/14A</b>	Illuminated logo and fascia signs - Application Permitted - 18/02/1992
<b>W02246/15</b>	Illuminated fascia signs - Application Permitted - 19/07/1994
<b>W02246/16A</b>	Non-illuminated canopy fascia signs and other assorted illuminated and non-illuminated signs - Application Permitted - 01/03/1994

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- W02246/17A** Internally illuminated 5 metre high monolith sign - Application Permitted - 10/11/1994
- W02246/18** Erection of a 6.0 metre mast with 1.2m diameter dish antenna. (Retrospective) - Application Permitted - 15/01/1996
- W02246/19** Erection of workshop - Application Permitted - 21/02/2000
- W02246/20** Internally illuminated/non-illuminated fascia and free-standing signs - Application Permitted - 17/02/2000
- W02246/21A** Replacement canopy fascia with illumination - Application Permitted - 10/10/2000
- W02246/22** Installation of car wash and jet wash, relocation of refuse area and erection of plant room - Application Permitted - 25/05/2001
- W02246/23A** 4 no. internally illuminated fascia signs, 1 no. internal illuminated directional sign, 3 parking signs and 1 no. free standing totem and canopy sign - Application Refused - 10/09/2003
- W02246/24** The erection of a part 2, part 3, storey building incorporating a foodstore, 5 individual shopping units (Class A1 - A5), 9 residential apartments, accommodation for D1 and/or D2 additional uses and associated surface and basement car parking – Application still under consideration.

### Consultations

#### Engineers: Drainage:

Appears that part of the building may contain a healthcare facility and Southern Water should be aware that toxic effluent may be discharged from this use.

Storm water to soakaways is acceptable and as the existing site is almost totally hard landscaped, run off will not be increased. All rainwater that falls on parking areas and goods unloading area should be passed through an oil interceptor before being discharged to a soakaway to prevent pollution of groundwater.

Developer should submit a drainage layout for approval prior to the commencement of the development. (Condition No13 & No18)

#### Hampshire County Council: Highways:

No objection subject to revised plan of service yard showing removal of temporary parking spaces and subject to legal agreement to secure the following: -

- Financial contribution towards highway improvement works to be carried out within 1km of the development and or Chilbolton Avenue and its junctions to either end.
- On first occupation of the housing, a financial contribution to be used for works included within the Winchester Movements and Access Plan.
- If requested by County Council within 10 years of opening of the store, financial contribution for the provision of a PUFFIN crossing in addition to an uncontrolled crossing on Stoney Lane, such payment to be secured by a bond.
- Prior to opening of the food store, a contribution towards traffic regulation orders or works to improve on-street parking in the vicinity of the site. Make available through a bond a financial contribution for further traffic regulation orders or works identified as a result of parking surveys, such works to be identified by The County Council within one year of the food store opening and implemented within 2 years of the food store opening.
- Entering into a Section 278 Agreement with the County Council to secure highway works as shown indicatively on Drawing 186.010. Such works to include measures to formalise the desire lines of cyclists on Stockbridge Road.
- Prior to occupation to complete those highway works as shown indicatively on Drawing 186.010 Rev V.
- Prior to commencement of works to carry out a survey of on-street parking on Stockbridge Road, Stoney Lane, Fromond Drive and Burnett Close to establish usage and duration of stay. Such a survey to be carried out at monthly intervals for three months after opening.
- Within three months of occupation to implement a Travel Plan approved by the Local Highways Authority.
- Lorry routing plan to be submitted by the applicant for inclusion within the agreement.

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And also subject to a number of conditions (Conditions 8-12)

Environmental Health:

No adverse comments subject to conditions in relation to noise and dust. (Conditions 19 & 20)

Forward Plans:

There is not an identified need for all the floorspace currently being proposed for a number of retail proposals. However the over-provision is small in overall terms and will be absorbed by the growth in demand over time. Should the development of this entire floorspace place at risk the provision of the Silver Hill development then that would be a matter that may warrant refusal of one of the applications. Due to the timescales involved in completing the town centre scheme, it is considered that the risk is likely to be very small.

Waitrose and Tesco's extension proposals have locational disadvantages in that it would be preferable for this floorspace to be within sequentially preferable locations. However it is also clear that suitable sites are not available, and on that basis the sites may be acceptable in retail planning terms.

Should the proposal be acceptable, conditions would be appropriate to prevent absorption of unit shops into a larger store. (Conditions 21 & 22)

Landscape:

Considered acceptable subject to conditions (Conditions 5-7)

Trees

Considered acceptable subject to conditions (Conditions 5-7)

Environment Agency:

No objection in principle subject to conditions (Conditions 14 -18)

Southern Water:

Currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. Proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result. Public sewer is a combined system, receiving both foul and surface water flows, and no flows greater than currently received can be accommodated in this system. However, it is possible that by removing some of the existing surface water entering the sewer additional foul flows could be accommodated, i.e. no net increase in flows.

If the applicant wishes to investigate this option, the applicant will be required to provide Southern Water with a topographical site survey and/or a CCTV survey. Survey should show the existing roof, drive and highway areas draining to the sewer and their connection points, pipe sizes, gradients and calculations confirming the proposed flows will be no greater than the existing flows received by the sewer.

As an alternative to the above, additional off-site sewers, or improvements to existing sewers can be provided to service the development. Section 98 of the Water Industry Act provides a legal mechanism through which the appropriate infrastructure can be requested by the developer and provided to drain a specific location.

**Representations:**

City of Winchester Trust:

No comments received.

Winchester Residents Association

No comments received

11 letters received objecting to the application for the following reasons:

- Traffic congestion: - such a development should not merely satisfy Highway concerns for extra traffic produced but minimise district traffic movements overall and also have minimum traffic impact on residential areas.
- Not optimum site: - slightly out of town sites to SW or NW or perhaps Somersfield would reconcile concerns.
- Detrimental impact on quality and character of area
- Detrimental impact on existing retail outlets.
- Insufficient retail need & poor match for catchment area.

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- Design: Inappropriate scale, overbearing, architecturally objectionable, out of character.
- Landscaping: inadequate sketchy and over urban.
- Inadequate consultation with local people.
- Long term impact on major shopping infrastructure.
- Recycling facilities should be included.
- Loss of light to Orchard Walk.
- Overbearing in relation to Orchard Walk.
- Proposals actually result in retail increase at expense of residential/healthcare facilities.
- Cycle parking needs further thought and consideration.
- Travel plan required.
- Increase in litter and anti social behaviour.
- Noise pollution.
- Insufficient right turning storage for vehicles wishing to turn into Burnetts Close from Stockbridge Road, especially given the route for Waitrose delivery vehicles, the likelihood of this will increase if an Aldi proposal is also granted permission.
- Insufficient available carriageway to accommodate a waiting delivery vehicle without obstructing traffic movements along Stockbridge Road
- No visibility for vehicles parked in Disabled/ P&T areas.
- Queuing from ramp to underground parking may cause an obstruction on Stockbridge Road.
- Inadequate disabled parking spaces

18 letters of support received.

- This part of Winchester not sufficiently served in terms of shopping facilities. Car journeys would be effectively reduced. Reduction in cross centre traffic.
- This part of city is poorly served by medical facilities.
- Surrounding shops may well benefit from increased business.
- Minimises impact on environment sympathetically utilising a brownfield site and will enable residents to walk or cycle to the shops.
- Design minimises aesthetic impact of development with provision of underground parking.
- Will act as a meeting place, enhancing a sense of community.
- Vital source of employment to area.
- High quality development. Landscaping is good. Would improve existing eyesore.
- More sympathetic design. Blends in with neighbouring buildings.
- Waitrose supports local farmers.
- Would ensure that Weeke shops area remains a focused and useful asset.
- Parking, access and delivery aspects are well thought out.
- Coherent use of a commercial site.
- Convenient alternative to Tesco and Sainsbury
- Would be good to see site tidied up.
- Would improve amenity to owners of Orchard Walk with replacement of dense evergreen trees with pleasant landscaped building.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

UB3, S1, S2, S3, S4, EC1, T1, T2, T4, T5, T6, T12, H5, H7, R2, E1, E2, E3, E4, E5, E6, E8

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, DP6, DP8, DP9, DP10, DP11, DP13, H3, H7, SF1, SF6, RT4, T1, T2, T3, T4, T5, W1, W8

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPS 6 Planning for Town Centres

PPG 13 Transport

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PPG 17 Planning for Open Space, Sport and Recreation  
PPS 23 Planning and Pollution Control  
PPG 24 Planning and Noise  
PPG 25 Development and flood risk  
Supplementary Planning Guidance  
Achieving a Better Mix in New Residential Development.  
Other Planning guidance  
Assessment of retail Floorspace Needs in Winchester (Llewellyn Davies)  
Guide to the Open Space Funding System  
Movement, Access, Streets and Spaces  
Parking Standards 2002  
Technical Paper: Open Space Provision and Funding  
The Future of Winchester Study  
Winchester City and its Setting  
Winchester Housing Needs Survey  
Winchester Retail Study (Nathaniel Lichfield & Partners)

### **Planning Considerations**

#### Principle of development

The proposals need to be assessed in accordance with the tests outlined in PPS6 together with the requirements of Policy SF1 of the Local Plan. Consultants have recently completed a revision of the need and capacity for retail development within the city. The updated study identifies a need for 2,800 square metres net (4,500 sq m gross) convenience floorspace and 9,300 sq metres net comparison floorspace by 2011.

There is currently an application for extensions to the Tesco store in Winnall and there have previously been permissions to extend Sainsburys at Badger Farm and permission for retail warehousing at Andover Road retail park. It is important to consider the cumulative impact of all the proposals and whether they would exceed the identified need. There is also the issue of the Silver Hill redevelopment within the city centre, which has a resolution for approval.

The study identified that there is insufficient capacity up to 2011 to support all of the proposed developments if commitments are implemented and the Silver Hill development is implemented by 2011. However this would not cause an unacceptable level of impact depending on the phasing of the development. This is due to an underlying trend of growth in demand which will create a need for all the developments proposed in due course. The possibility of proposals putting at risk the town centre development diminishes the later that the town centre development occurs due to rising demand over time. It is likely therefore that this will not prove an unacceptable risk, given that Silver Hill development is unlikely to be completed until near the end of the Local Plan period.

Therefore, when considered with Silver Hill there would be a small over-provision. There is not the need for all these developments at the current time but given that the need will emerge in time for all developments, it is not considered realistic to refuse this application on lack of need.

PPS6 does not specify appropriate floorspace for a local supermarket. However table 1 refers to local centres having a range of small shops of a local nature serving a small catchment. It states that this would typically include a small supermarket. The size of the proposed store and the likely range of goods sold will attract custom from a greater area than the local area and should ideally be in the town centre. However it is acknowledged that there are a lack of sites available in closer proximity to the town centre. In sequential terms the proposal is preferable to an out-of-town site as it is a more accessible location, with links to the city centre and access by a variety of means of transport. It would provide for an acknowledged supply in the northern part of Winchester and would be adjacent to a local centre.

The proposal would have an effect on the existing retail at Weeke. The proposal would attract

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customers to the area, which could benefit the existing units, particularly the non food-retail. However it is acknowledged that there may be some negative impact on the competing shops of Co-op, Forbouys and Threshers. The impact on a few individual shops is not a reason to resist the proposal given its likely benefits for the local centre overall.

The element of housing proposed within the development would provide 7 no 1 bedroom properties and accords with Policy H7 in relation to provision of at least 50% of the residential units as smaller properties.

The parking provision is considered to be acceptable and is considered in more detail under the highways issues section of this report.

The introduction of a healthcare facility is considered to be in accordance with Policy SF6 of the Local Plan.

#### Design/layout

The proposed building is predominantly 2 ½ storey with a single storey element along the boundary with Orchard Walk. The walls would be constructed of local red stock brickwork, native timber and glazing. The roof would be constructed of traditional terne coated steel standing seam and single ply membrane. The exact detail of such materials would be the subject of a condition. (Conditions No2 & No3).

The proposals also include a stainless steel trellis structure to both the north west and north east walls of the building to support climbing plants to soften the impact of the building. A significant amount of the building frontage along Stoney Lane would be glazed, together with timber weatherboarding. The frontage onto Stockbridge Road would also have some glazing together with brise soleil. The corner tower would have some glazing, brickwork and timber boarding.

Whilst the proposed building covers a significant part of the footprint of the site, the design rationale has been to provide parking in the basement in order to have structured planting around the boundaries to soften the appearance and re-enforce the green corridor which currently exists along Stockbridge Road. The proposals allow for a good landscaping structure to help the building assimilate into the character of the surrounding area.

The design rationale has been to reduce the height of the building to appear in context with Stoney Lane. The provision of smaller retail units facing onto Stoney Lane serves to reinforce the local retail centre that currently exists on the opposite side of the road. In addition, the building has been set back by some distance from Stockbridge Road in order to maintain a green corridor.

The design includes a single storey element facing towards Orchard Walk to reduce the impact on this residential area and to Fromond Road further along.

#### Impact on character of area and neighbouring property

The proposals would inevitably have some impact on the locality given both the nature of the proposals and the mass and bulk of the building. However the proposal does benefit from the majority of the parking being located in the basement. The landscaped character of the locality is retained by significant separation between the building and Stockbridge Road, together with space around the boundary of the site to provide additional planting to soften the impact of the building. The harshness of the building mass would be further softened by the proposed trellises along the boundaries with Orchard Walk and the Chimneys Site. The reduction of the bulk of the building alongside Orchard Walk results in a building which would not impact significantly on the amenities currently enjoyed by its residents. There would not be significantly greater overshadowing or loss of light than currently exists with the tall trees which are located along the boundary. The distance from the building to residential properties in Fromond Road (18m) is such



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that there will be no adverse impact on these neighbouring properties.

The height of the building (approx 10m) would be comparable with the terrace of retail properties on the opposite side of Stoney Lane and would not appear out of context in this location. Whilst it is appreciated that the building is taller than properties in Orchard Walk to the north east, the building does step down to single storey on this boundary to provide a suitable transition. The building would become prominent on the approach along Stockbridge Road from Sparsholt but only towards the junction with Burnett Close and would be seen in the context of the character of the existing local centre. The tower building at the entrance to the supermarket would be prominent on the approach along Stockbridge Road from Winchester; however the main bulk of the building would not be prominent, given that it is set back significantly from the junction.

Whilst the introduction of a large 2 to 2 ½ storey building at this location would inevitably have some impact it is considered that the design and suggested landscaping would result in a building which would appear in context as opposed to overdominant.

#### Landscape/Trees

As already mentioned careful consideration has been given to a scheme which reinforces the landscape character of the surrounding area. The proposals are considered to provide a scheme which would both soften the impact of the building and continue the sylvan nature of this approach to Winchester. Specific conditions would ensure that the landscape scheme is carried out to an acceptable standard. (Conditions 5-7)

#### Highways/Parking

**Traffic Generation, Distribution and Highway Impacts** – Within the Transport Assessment the applicant completed two sensitivity tests of the proposals. Test A is based around the population spread within the catchment area of the development and competing supermarket attractions. Test B predicted the local highway network to be more heavily loaded on the weekday peak than the Saturday. It was concluded that the junction of Stockbridge Road and Stoney Lane would be close to capacity and there would be some modest queuing of approximately 6 vehicles on the Stockbridge Road northbound and 6 vehicles on Stockbridge Road southbound during the PM peak. These figures were higher than those provided by sensitivity test A.

The Transport Assessment identified that the junction could be functioning close to capacity during the worst case scenario B and within capacity for Test A. Queue lengths would be in the region of 6 vehicles which would be acceptable to the County at limited times of the day and not constitute any major improvements to the junctions. It is evident however that some limited delay will occur during the pm peak as a result of the proposals. The County Council are aware of existing congestion problems with Chilbolton Avenue and Stockbridge Road and have sought a financial contribution in this respect.

Whilst the Highway Authority has aspirations for future improvements at the junction, this may require land acquisition. It is felt that by securing funds, the County Council will be able to progress improvements once sufficient land becomes available.

**Access** – Access will be achieved from a right turn lane on Stockbridge Road. The applicant is intending to remove one of the existing central islands to maximise the length of the right turn lane. Results of the modelling indicate that the junction can function well within capacity during the pm peak with a maximum queue length of 2 vehicles within the site. Within the right turn lane located on Stockbridge Road a queue length figure of 6 vehicles has been given. The right turn junction will function adequately within the traffic flows outlined in the worst case scenario on Test B.

Any works to the highway will require a Section 278 Agreement.

It was recommended and agreed by the applicant that the use of footways by cyclists be assessed and layout altered to formalise the desired usage of the cyclists. Hampshire County Council are happy to agree any additional signing during the detailed design check stage. Further details of the means of access will need to be provided in order that there is no affect on the visibility splays by virtue of the landscaping.

**Servicing and Deliveries** – Concerns about proposed parking by the turning area for service

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vehicles have been overcome by the amended plans which delete the parking. In addition a condition is recommended to prevent this area being used for parking. (Condition No11)  
The servicing arrangements are considered acceptable. The arrangement of the junction is such that vehicles will have to turn west towards Harestock Road rather than attempt a left turn towards Winchester Town Centre.

The applicant has agreed to provide a financial contribution towards traffic regulation orders in the vicinity of the site. Service lorries will also be restricted by a lorry routing plan contained within the Section 106 Agreement.

**Car Parking Management** – Parking on site is to be restricted to 2 hours maximum to be enforced by on-site management. Whilst there is concern about on-street parking in the surrounding streets increasing, the developer will be required to review current restrictions and identify a set of proposals to overcome potential parking difficulties. A financial contribution by the applicant will assist in implementing the required traffic regulation orders and change to any parking layouts. In addition the applicant will need to complete parking surveys before the commencement of development and after having been open for three months. Any emerging issues would need to be addressed by measures introduced by the highway authority.

187 parking spaces will be provided on site, which is well within the parking standards (which identify a maximum of 223 spaces). If anything there could be an under provision, hence the contribution secured for off-site parking restrictions. However the applicant has identified that the average stay of each vehicle would be 40 minutes allowing the facilities to cater for up to 248 cars an hour.

8 stands (providing for 16 cycle parking spaces) are provided for the food store, all within a few metres of the entrance. A further eight stands are to be provided for short stay residential parking. Additional parking is also to be installed along Stoney Lane where six Sheffield stands are provided for 12 bicycles.

Details of cycle parking provision (including long term cycle parking) will need to be provided as part of a condition. (Condition No 8)

**Travel Plan** – The applicant has submitted a travel plan for approval by the County Council. Subject to a number of amendments, the Travel Plan is to be secured by way of the Section 106 Agreement.

**Stoney Lane Pedestrian Crossing** – The applicant is proposing to provide a Puffin crossing, which must meet a given set of criteria. At present the ITS group advise that the location is unlikely to meet the necessary PV2 value criteria and contribution should be sought in lieu of the works. This will enable the County to introduce the crossing when the necessary value has been met.

In addition the applicant will provide funding for a build out located in the middle of the existing parking lay-bys on Stoney Lane. This funding has been provided due to the potential desire line, which would otherwise result in pedestrians crossing between parked cars.

As a result of the build-out there would be an inevitable loss of parking. Such a feature should be implemented through consultation with local stakeholders prior to implementation and a contribution will be required.

**Public Transport** – There are three bus stops located within 200m of the site. The bus stops on Dean Lane are serviced by bus routes 1, 27 and 99/x99 operated by Stagecoach as well as the 68 service provided by the Wiltshire Dorset Bus company. The bus stops on Fromond Road are served only by the number one service.

**Cycle Access** – The Winchester cycle trail is a 26-mile route running around Winchester, of which 17 miles is off road. The trail runs past the site running parallel to Stockbridge Road and at this part of the trail the route is “on road”. It is intended that the travel plan will encourage the use of cycling and as such will need to promote events such as Bike to Work Week and ‘In Town Without My Car’. Further details on this will be required before the County could issue final approval of the document.

The applicant will also need to provide cycle parking measures prior to commencement of development. This could be secured by condition (Condition No8)

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Other Matters

The proposal would require a financial contribution towards Public Open Space provision for play and sport provision in the locality. The applicant has expressed a willingness to pay this and this would form part of the legal agreement or be secured by way of a one-off payment or unilateral undertaking.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for public open space provision and highway improvements the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

**Recommendation subject to a section 106 Legal Agreement to secure the following: -**

- **Prior to the occupation of the foodstore payment of financial contribution to Hampshire County Council of £250,000 towards highway improvement works to be carried out within 1km of the development and or Chilbolton Avenue and its junctions to either end.**
- **On first occupation of the housing, a financial contribution to Hampshire County Council of £25,000 to be used for works included within the Winchester Movements and Access Plan.**
- **If requested by County Council within 10 years of opening of the store, financial contribution to the Hampshire County Council of £65,000 for the provision of a PUFFIN crossing in addition to an uncontrolled crossing on Stoney Lane, such payment to be secured by a bond.**
- **Prior to opening of the food store, a contribution to Hampshire County Council of £15,000 towards traffic regulation orders or works to improve on-street parking in the vicinity of the site. Make available through a bond a financial contribution of £10,000 for further traffic regulation orders or works identified as a result of parking surveys, such works to be identified by The County Council within one year of the food store opening and implemented within 2 years of the food store opening.**
- **Entering into a Section 278 Agreement with the County Council to secure highway works as shown indicatively on Drawing 186.010. Such works to include measures to formalise the desire lines of cyclists on Stockbridge Road.**
- **Prior to occupation to complete those highway works as shown indicatively on Drawing 186.010 Rev V.**
- **Prior to commencement of works to carry out a survey of on-street parking on Stockbridge Road, Stoney Lane, Fromond Drive and Burnett Close to establish usage and duration of stay. Such a survey to be carried out at monthly intervals for three months after opening.**
- **Within three months of occupation to implement a Travel Plan approved by the Local Highways Authority.**
- **Lorry routing plan to be submitted by the applicant for inclusion within the agreement.**

**And subject to a contribution of £7252 towards Provision of Public Open Space.**

Application Permitted subject to the following condition(s):

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

**Conditions**

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

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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 building 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, before the building is occupied.

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

3 Before development takes place fully annotated 1:50 scale drawings of all plans (including roof plans), elevations, sections; and 1:20 scale drawings of typical detail for doors, windows, eaves, rainwater gear, lighting and other external furniture, shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

4 No development shall take place until details of the finished floor levels of the new buildings hereby permitted in relation to the existing ground levels of the site and ground levels beyond the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, before the development is occupied.

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

5 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours:
- means of enclosure, including any retaining structures:
- car parking layout:
- other vehicle and pedestrian access and circulation areas:
- hard surfacing materials:
- minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting etc):
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):

Soft landscape details shall include the following as relevant:

- planting plans:
- written specifications (including cultivation and other operations associated with plant and grass establishment:

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- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- manner and treatment of watercourses, ditches and banks:
- implementation programme:

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

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

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

7 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

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

8 No development shall commence until the applicant has submitted for approval details outlining cycle parking provision within the site.

Reason: In the interests of highway safety.

9 A construction Traffic Management Plan shall be submitted for approval by the Local Highway Authority in writing prior to the commencement of development. The measures contained within it shall be retained for the duration of the construction period.

Reason: In the interests of highway safety.

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10 The car parking within the site shall be made available for use by the general public in perpetuity.

Reason: In the interests of highway safety.

11 The development hereby approved shall be carried out solely in complete accordance with the amended details shown on drawing 186.010 Z unless otherwise agreed by the Local Planning Authority in writing. The area shown on the submitted plan for the turning of service vehicles shall not be used for the parking of cars and for the storage of any structures or equipment.

Reason: In the interests of highway safety.

12 Details of the means of access, including the layout, construction and sight lines, shall be submitted to and approved by the Local Planning Authority in writing prior to development commencing. The agreed details shall be fully implemented before the development is brought into use.

Reason: In the interests of highway safety.

13 No development approved by this permission shall be commenced until a scheme for the foul drainage has been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is within a groundwater Source Protection Zone III. The mains foul water sewer is in close proximity to the site. There is a presumption for connection to this system.

14 Prior to the commencement of development, a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing by the Local Planning Authority.

1. A desk study identifying
  - all previous uses
  - potential contaminants
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.
4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements shall require the express consent of the Local Planning Authority.

Reason: To protect the major aquifer beneath the site. The site may be contaminated due to previous activities that have taken place on site. Risks to controlled waters have not yet been fully established at the site.

15 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval for the Local Planning Authority for, an addendum to the Method Statement. This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.

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Reason: To protect the major aquifer beneath the site. There may be areas of the site, which cannot be fully characterised by a site investigation and unexpected contamination may be identified.

16 No infiltration or surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to controlled waters.

Reason: To protect the major aquifer beneath the site as SUDS can increase the potential for pollution if located in contaminated ground.

17 Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater.

Reason: To protect the major aquifer beneath the site. If used, piling may provide direct pathways for contaminants to groundwater.

18 No development approved by this planning permission shall be commenced until details for the surface water drainage have been submitted to and approved in writing by the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas and areas of hardstanding to be passed through an oil separator designed to have the capacity and details compatible with the site being drained. Roof water should not pass through the separator.

Reason: The site is within a groundwater Source Protection Zone III.

19 No development shall take place until a Construction Method Statement and Construction Code of Practice for limiting the emission of noise and dust from all the demolition and construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. Development shall not commence until the measures approved in the scheme have been fully implemented.

Reason: In the interest of amenity of neighbouring properties.

20 Details of a scheme for protecting the proposed dwellings from noise and road traffic shall be submitted to and approved by the Local Planning Authority in writing before the development commences. Any works which form part of the approved scheme shall be completed before any dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority. Such Noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded.

21 The smaller retail units facing onto Stoney Lane shall be retained as individual units and shall not be absorbed into the main retail store.

Reason: In order to widen the retail choice within the area and to prevent the creation of a larger supermarket than that proposed, this would be considered out of scale with Weeke and increase the overall potential over-provision of retail floorspace within the city.

22 The area designated as foodstore storage/backup on Approved Drawing No 186.102 R shall be retained as such and shall not be used for retail sales.

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Reason: In order to prevent the creation of a larger supermarket than that proposed, which would be considered out of scale with Weeke and increase the overall potential over-provision of retail floorspace within the city.

**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, S1, S2, S3, S4, EC1, T1, T2, T4, T5, T6, T12, H5, H7, R2, E1, E2, E3, E4, E5, E6, E8

Winchester District Local Plan Proposals: DP1, DP3, DP4, DP5, DP6, DP8, DP9, DP10, DP11, DP13, H3, H7, SF1, SF6, RT4, T1, T2, T3, T4, T5, W1, W8

3. All works including demolition and construction should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs 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.

4. 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.

5. 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](http://www.southernwater.co.uk)