

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	07/01417/OUT	Valid Date	6 June 2007
W No:	00683/24	Recommendation Date	23 July 2007
Case Officer:	Mr Tom Patchell	8 Week Date	5 September 2007
		Committee date	
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	35 Dwellings (comprising five 1-bed, thirteen 2-bed, fourteen 3-bed and three 4-bed dwellings) with associated access; hard and soft landscaping (RESUBMISSION)
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Site:	Downlands Estate Development Downlands Way South Wonston Hampshire
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Open Space	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	Y	N	Y=32	N	Y	Y

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No:
Case No: 07/01417/OUT / W00683/24
Proposal Description: 35 Dwellings (comprising five 1-bed, thirteen 2-bed, fourteen 3-bed and three 4-bed dwellings) with associated access; hard and soft landscaping (RESUBMISSION)
Address: Downlands Estate Development Downlands Way South Wonston Hampshire
Parish/Ward: South Wonston
Applicants Name: Mr And Mrs P Ward And Heritage Residential
Case Officer: Mr Tom Patchell
Date Valid: 6 June 2007
Site Factors: Tree Preservation Order
Recommendation: Application Permitted

General Comments

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

This planning application follows from the refusal of planning application reference number W00683/23.

In this planning application the number of proposed dwellings has been reduced from 40 to 35, with a resulting density of approximately 32 dwellings per hectare.

In the revised scheme there is no part of the proposals over 2.5 storeys in height; the proposed apartment block is now only 2 storeys in height and has been moved away from the western boundary.

Additionally the proposal now provides a pedestrian link to the north of the site and directly onto Downs Road.

The road layout remains the same, with the same spine of open space and retained trees through the centre of the site, together with a children's play area.

Site Description

The site is approximately 1.07 hectares of land set between the eastern and western branches of Downlands Way.

To the north of the site are the rear gardens of detached dwellings that front onto Downs Road. In two instances, bungalows have been developed within the long rear gardens.

The northern boundary has a number of large mature trees and hedging, providing a screen to the rear gardens and one of the bungalows.

To the eastern boundary are the detached and terraced dwellings of Downlands Way and Oaklands.

No.39 Downlands Way lies within 4 metres of the eastern boundary of the site and has two first floor windows in its side elevation overlooking the land.

Within Oaklands, Nos 1 to 3a have their rear elevations overlooking the site. These properties have relatively small rear gardens and the dwellings are set approximately 1 metre below the level of the application site.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

The rear boundaries to the dwellings in Oaklands are delineated by low bramble hedging to allow for views over the adjoining land.

Adjacent to the north eastern corner of the site, 3b Oaklands has its side elevation facing onto the site, but is screened from view by mature trees on the boundary.

To the south of the site is the Ox Drove, with agricultural land beyond, and to the south east there are mature trees with a post and rail fence and open views of the land beyond.

On the southern boundary of the site, there is a pair of detached dwellings that have ground and first floor windows overlooking the site and are currently screened on the west side by the central belt of trees that run north to south through the site.

To the west of the site are dwellings within the western 'branch' of Downlands Way and its boundary to the site has a substantial hedge that screens the windows of the adjoining properties from overlooking the site.

The site itself slopes from north to south and west to east.

Within the application site, there are three distinct characters. To the east is an overgrown area of grass with paths 'criss-crossing'. The central area contains a belt of mature and maturing trees, many of which are self-seeded, and an area Tree Preservation Order covers some of the trees within the belt. The area of woodland currently provides screening for a small complex of stables.

The western third of the site is grazed paddock, which is used for horse riding and currently has a number of jumps and obstacles placed within the land.

The character of the surrounding residential development comprises detached, semi-detached and terraced properties with a mix of housing styles from bungalows to two-storey dwellings. The dwellings are set back from the highway by front lawns and driveways, which provides an open character to the area.

Proposal

The proposal is only for outline permission but with means of access and siting to be considered at this time and the composition of the 35 dwellings.

The proposal shows the retention of the group of TPO'd trees through the centre of the site.

Although each 'branch' of Downlands Way would be extended to provide vehicular access for the development, this would not result in the creation of a through route for traffic. Within the centre of the site it is proposed that an access of restricted width be provided for pedestrian and cycle access, with only emergency vehicular access possible.

It is proposed to provide a 'spine' of public open space running through the centre of the site, from north to south, within which most of the protected trees are located. A footpath is proposed to connect the development with the Ox Drove and now a link to Downs Road is also proposed.

At this time, there are no details of the final design or appearance of the proposed 35 units, although there is an indication of the range of dwellings proposed and that they would be a mixture of 2 and 2½ storeys.

The proposed flatted development, units 4-7, has been reduced from 3 storeys in height to 2 storeys, and its siting moved to the east of the position shown in the previous application, away from the existing dwellings at the end of the western arm of Downlands Way.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Relevant Planning History

W00683/23 (AMENDED PLANS) Erection of 40 no. dwellings with associated access and parking (OUTLINE) - Downlands Estate Development Downlands Way South Wonston Hampshire - Application REFUSED at Planning and Development Control Viewing Sub-committee 19 February 2007 - Decision Notice dated 10/04/2007

Consultations

Engineers: Drainage: No objection

- Storm water will go to soakaways; the use of water butts should be promoted.

Engineers: Highways: No objection (Subject to Conditions, Nos 5 &9)

- The internal road network will not be adopted as public highway.
- The proposed footpath connection to Downs Road would be of benefit to the residents.

Hampshire County Council (Highways): Support

- A financial contribution of £85,000 should be provided towards bus service and infrastructure improvements in the vicinity of the site.

Hampshire County Council (Countryside Service): Object

- Restricted byway 703 (Lower Road/Ox Drove) is a recreational route, in character, and additional vehicular use would be inappropriate.
- The increased vehicular use would have a detrimental effect on the convenient use of the way by the public as it will cause conflict with lawful users.
- The increased use would also detrimentally affect the surface of the restricted byway.

Hampshire Constabulary:

- If planning permission is approved the applicant should be encouraged to apply for an award under the ACPO Secured by Design Scheme.

Landscape: No objection but formal response not received - any relevant details will be provided in committee update.

Environment Agency: No objection but formal response not received - any relevant details will be provided in committee update.

Strategic Housing: Support

- It is acceptable for the applicants to provide 10 affordable units on site, with a commuted sum for 0.5 units.
- A 50/50 split between intermediate housing and social rent also remains acceptable.
- The size, type and location of the affordable housing units can be dealt with under reserved matters.
- The applicant must provide a range of affordable housing that contributes towards the creation of a mixed and sustainable community.
- The units must be of a size and type to meet housing needs, which must be agreed with Strategic Housing.

Representations:

South Wonston Parish Council: Object

If the traffic figures are based on existing traffic movements, this is unlikely to be reflected in the proposed dwellings where householders are likely to be of a different category. I.E. There will be fewer retired people and vehicle movements could be significantly greater than predicted as more of the householders are likely to be in employment.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Lack of parking within South Wonston and the problems of on-road parking are a growing concern, particularly with the low parking ratios proposed within the development.

The use of Lower Road/Ox Drove as an access to three dwellings cannot be compared to the occasional use to access the stables and it would therefore be wrong to assume that the new properties would have access rights along this route.

The proposed pedestrian access to Downs Road, although welcomed, would conflict with the amenity of the adjoining occupiers. The access is currently only wide enough for a vehicle and would lead to conflict with pedestrians.

The financial contributions being sought by Hampshire County Council and Winchester City Council should be renegotiated, involving South Wonston Parish Council, in order that they provide benefits to the community on a long term basis rather than putting money into a short term expediency that would have no lasting effect.

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

- 2½ storey dwellings out of keeping with the character of the surrounding area and still excessive in height.
- Loss of privacy.
- Inadequate access with on-road parking narrowing the width of the roads.
- Inadequate parking, each property should have 2 spaces.
- Inadequate power and water supplies to the village will be stretched even more; the village already suffers regular power outages.
- Loss of wildlife habitats and trees.
- Increased use of Lower Road/Ox Drove would conflict with pedestrians and horse riders.
- Part of the monies sought by Hampshire County Council should be used to maintain the Lower Road during the winter.
- Being located on a high ridge the properties will be visible from several miles.
- Density is out of keeping with the surrounding village, should be reduced to 30 dwellings.
- Proposed pedestrian access to Downs Road is only wide enough for a vehicle, there would be conflict through its use to access existing dwellings.
- The use of the path would result in a loss of privacy to the properties on this route.
- Proposed children's play area is unnecessary.
- Increase in noise.
- Loss of wildlife habitats within the site.

Reasons not material to planning and therefore not addressed in this report

- Loss of a view
- Construction traffic should not be allowed to use Lower Road.
- Access of construction traffic to the site in general.
- No consideration of a vehicular access north from the site to Downs Road.
- Pre-application consultations with the public by the developer were inadequate.

7 letters of support received.

- Would provide an opportunity to move closer to relatives in South Wonston.
- The plans have been amended to answer the objections that have been raised.
- Provides a range of housing sizes in need in the local area, rather than only large houses.
- Would develop a site that has become an eyesore within the village.
- The use of Lower Road to access 3 houses would be lower traffic than that associated with the stables.
- The land is identified as a development site within the village.

Relevant Planning Policy:

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Hampshire County Structure Plan Review:

UB3, H1, H2, H7, H8, T4, T5, T6, E1, E4, E6, E8, E12, E13, E14 and R2

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP.5, DP.6, DP.10, CE.10, HE.1, HE.2, H.1, H.3, H.5, H.7, RT.4, T.1, T.2, T.3, T.4 and T.5

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPG 13 Transport

Other Planning Guidance

Guide to the Open Space Funding System

Housing Monitoring Report

Movement, Access, Streets and Spaces

Parking Standards 2002

Winchester Housing Needs Survey

Planning Considerations

Principle of development

The site is located within the settlement boundary of South Wonston.

The policies of the adopted local plan support residential redevelopment and infilling within the defined settlements providing that the proposed development:

- Makes efficient and effective use of the land. The density of the proposed development is approximately 32 dwellings per hectare, reduced from the previously proposed density of 37dph, and is considered to be acceptable, taking note of the existing density of between 22 and 25 dwellings per hectare in the immediately surrounding areas of Downlands Way.
- Responds positively to the character and appearance of the surrounding area. The proposed layout of the development does respond positively to the character and appearance of the surrounding area.
- Keeps parking provision to a minimum. The parking meets current highways standards.
- Does not have an adverse or unacceptable impact on the occupants of adjoining properties. The proposal does provide for a satisfactory relationship with the adjoining development.
- Contains sufficient open amenity and recreational space. The proposed open space is satisfactory.

In addition, within a development of this size there is a need to provide for a mix of housing types and sizes. Also 50% of the proposed dwellings should be smaller dwellings, 1 or 2 bedrooms, with a gross internal floor area not exceeding 75 square metres. The proposal includes a satisfactory housing mix, including smaller dwellings.

There should also be the provision of an element of affordable housing, 30% of the proposed number of dwellings. This is addressed by the proposal.

Planning Policy Statement 3: Housing (PPS3)

PPS3 Promotes more sustainable patterns of development and making better use of previously-developed land. This policy document seeks to provide wider housing opportunity and choice and a better mix in the size, type and location of housing than is currently available, and seeks to create mixed communities. PPS 3 also promotes good design in new housing developments in order to create attractive, high-quality living environments in which people will choose to live.

Open Space Strategy

Proposal RT.4 provides for improvements in the provision of recreational space in the settlements, particularly where there is insufficient land for public recreational space and facilities.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Where there is an existing deficiency new developments will be expected to provide for improvements in those facilities and financial contributions will be sought where provision and improvements need to be made off-site.

Within South Wonston, the equipment within the main recreation ground meets NEAP standards, although some refurbishment is required. There is currently a shortfall in terms of play/sports area within South Wonston.

An area to serve the western area of South Wonston more directly, could address both the distribution of facilities and deficiencies.

The submitted proposals would provide an area of on-site public open space and any shortfall in the provision of public open space, both play and sports facilities, could be overcome through an agreement to provide a financial contribution.

Affordable Housing

The scheme provides affordable housing in accordance with the adopted planning policies, which will be secured through a Section 106 legal agreement.

Achieving a Better Mix in New Housing Developments

There is an emphasis on increasing the proportion of smaller units, one and two-bedroom and encouraging a greater variation in the types of property being built.

The proposals put forward in this application are in outline form with only siting and means of access to be considered at this time but seek also to establish the principle of development based on the submitted layout plan, including the mix of dwelling sizes therein indicated. Furthermore, as part of the supporting information, a schedule of the proposed housing that could be provided has been submitted. This information indicates that 50% of the dwellings are to be 1 or 2 bedrooms, although it cannot be confirmed if the units have a gross internal floor area of 75 square metres or less at this time. This will be addressed in consideration of the 'details in compliance' submission.

Parking Standards 2002

The Local Transport Plan for Hampshire, Southampton and Portsmouth seeks to halve the rate of traffic growth by 2020. If a restriction on parking spaces is balanced by greater availability of alternative transport modes, then car use can be reduced.

The number of car parking spaces associated with new development is to be quoted as a maximum, to avoid over-provision. The adopted parking standards seek to provide 1.5 spaces per dwelling; with the proposed development providing approximately 1.77 spaces per dwelling, it more than meets adopted standards.

In addition, new residential developments should provide adequate cycle parking provision and facilities for cyclists; this is covered by condition 2.

Impact on character of area and neighbouring property

The proposed development would not have a potentially detrimental relationship with regard to the siting of dwellings and the location of car parking to properties on the adjacent boundaries. There would be a distance of approximately 23 metres between the rear elevations of the dwellings within Oaklands and the proposed dwellings.

There are no longer dwellings proposed with either their rear or side elevations immediately adjacent to the shared boundaries of adjoining dwellings. This has removed any overbearing and detrimental affect to the amenities of the adjoining occupants.

The surrounding development is characterised by two storey dwellings and whilst the Council is not advocating that there should be a replication of the architectural style of the existing development,

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

the adopted policies of the Winchester District Local Plan require that any proposed development responds positively to the character, appearance and variety of the local environment.

It is accepted that a small number of 2½ -storey units could be provided within the centre of the proposed development and to the southern boundary, without detriment to the character of the surrounding area, or the amenities of adjoining occupants.

As stated above in the description of development, the proposed flatted development, which now comprises only four apartments, has been significantly amended with regards to its location and size. Being moved adjacent to the central tree belt and reduced from a mixture of 2 storey and 3 storey height to only two-storey height, in order to address previous criticisms.

It is not considered that the proposed 35 dwellings would detrimentally increase any light pollution within the surrounding area, above that already created by the existing development of South Wonston.

Landscape/Trees

As part of the proposals put forward it is intended to retain a significant area of woodland through the centre of the site. The trees to be retained are all covered by an area Tree Preservation Order and represent a significant feature in the character and appearance of the surrounding area and therefore are considered a significant landscape buffer strip.

Highways/Parking

The scheme is satisfactory from a highway point of view. The Highways Engineer has however stated that the proposed internal road layout could not become an adopted highway in its present form. The applicants and their agents have confirmed that the proposed highway would remain a private road, which is acceptable.

The Rights of Way Officer for Hampshire County has objected to the proposals with regard to the use of Lower Road / Ox Drove as a means of accessing three of the proposed dwellings.

Information has however been submitted by the applicant to indicate that there would be a potential reduction in the number of vehicle movements along Lower Road compared to the operation of the existing stables and riding school business to their full potential. The Rights of Way Officer maintains that the use of Lower Road to access the stables is an historic use, which is unable to be transferred to any subsequent development of the site and that upon the use of the land for stabling ceasing, there is no right to carry forward such rights to access the land from Lower Road to serve a new development.

Whether there is a right to use this route to access the three dwellings would be a private civil matter between the applicants, any future developers, and Hampshire County Council. In the event that the applicant is not able to secure legal use of the existing access from Lower Road to serve the proposed three dwellings in perpetuity it would be necessary for the development to be amended to provide alternative means of access. This would require the submission of a new planning application.

Issues raised that are not material considerations

Concern has been raised that the use of the proposed play area would lead to anti-social behaviour. If this is the case there are steps that can be taken under other legislation to prevent this from happening.

Issues with regards to the adequacy of the local sewer network and water supply pressure to serve the development are not evident from consultation responses. However, any required improvement to such services that may be necessary to serve the development are matters that any developer must negotiate separately with the relevant statutory undertaker and in respect of requirements applicable to the obtaining of building regulations approval.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Developer Contributions

The Parish Council has raised a number of issues regarding the matter of developer contributions and in particular, the requirement that was identified by HCC for a contribution of £85,000 towards local bus service and infrastructure improvements in order to bring forward improvements to the existing passenger transport services, to provide a realistic alternative to the private car.

The Parish Council requested that the contribution situation be reviewed to facilitate the use of such money for other local community needs, considered more desirable than enhanced bus services that could prove to be a transient benefit that could not be maintained in the long term. Officers have consequently reviewed the legal position and the justification for requiring contributions in this case.

The outcome of this exercise is that the County Council as highway authority have delegated the decision as to whether contributions are justified in this case to the City Council. Government advice on the matter of seeking developer contributions is set out in circular 05/05. Basically the requirement for any developer contribution must be justified on the basis that it is necessary for the improvement of some provision to enable the development to take place. If it were concluded that the existing provisions could accommodate the development without detriment then there would be unlikely to be justification for requiring a developer to make a contribution. This is usually clarified by the incorporation within the development plan of stated objectives for improvements to particular provisions where there has been an identified overarching need e.g. for open space purposes or highway improvements. Contributions must however be used for the purpose they were obtained.

Officers have re-visited the need for highway contributions in this case both in terms of improvement of passenger transport services and in regard to whether any improvement of the local highway infrastructure is warranted. The conclusion of this review and, having regard to technical assessment and legal advice, is that the requirement for such a contribution cannot be justified. Therefore it is regretted that the contribution of £85,000 is not now being sought.

Another area that has been questioned by the Parish Council is the appropriateness of having an equipped local area for play within the scheme. This is a standard requirement for developments of 15 or more units under the Councils Open Space Funding Strategy in order to ensure locally accessible and safe play areas for young children. It would however be possible to consider in this case the use of open space funding money for the sport element for other recreational purposes, such as the pavilion improvement project that the parish is pursuing.

Planning Obligations/Agreements

In seeking the planning obligations and financial contributions for Affordable Housing, Public Open Space and Sustainable Transport 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

Application Permitted subject to the following condition(s):

Application Approved subject to the following condition(s) and the applicant entering into a legal agreement to secure:

- **Affordable housing – 10 units to be provided on-site, in a location to be agreed with the Housing Strategy and Development Manager.**
- **Financial contribution equivalent to 0.5 of a dwelling (residual affordable housing payment).**
- **Public open space contributions: £30,535**

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

- **The dedication of public access over the footpath and cycle access route proposed through the site, including public access to the Ox Drove and Downs Road.**
- **The setting up of a management company to undertake the maintenance of the unadopted common areas comprising the access roads and footpaths, parking areas and garage forecourt, and the areas of amenity planting and public open space;**
- **The provision of a returnable bond to the value of £27,681.60 to cover the works to the communal open space in the event of the developer failing to satisfactorily undertake the work.**
- **The provision for the laying out and maintenance of public open space and play equipment.**

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

Conditions

1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

2 Plans and particulars showing the detailed proposals for all the following aspects of the development (hereinafter called "the reserved and other matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.

Landscape considerations including:

- (i) an accurate plan showing the position, type and spread of all the trees on the site and a schedule detailing the size and physical condition of each tree and, where appropriate, the steps to be taken to bring each tree to a satisfactory condition; and also details of any proposals for the felling, pruning, trimming or uprooting of any trees;
- (ii) a landscape scheme showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels;
- (iii) the arrangements to be made for the future maintenance of landscaped and other open areas.

- The details of materials/treatment to be used for hard surfacing.
- The alignment, height and materials of all walls and fences and other means of enclosure.
- The finished levels, above ordnance datum, of the ground floor of the proposed building(s), and their relationship to the levels of any existing adjoining buildings.
- The provision to be made for contractors vehicles parking and plant, storage of building materials and any excavated materials, huts and all working areas.
- The provision to be made for the storage and disposal of refuse.
- The provision to be made for the parking, turning, loading and unloading of vehicles.
- The layout of foul sewers and surface water drains.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

- The design of all buildings, plant and tanks, including the colour and texture of external materials to be used together with samples of all external facing and roofing materials.
- The provision for secure undercover cycle storage for each residential unit in accordance with HCC adopted standards.

Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

3 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwellings 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 each house is occupied.

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

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

Reason: To protect the amenities of the locality and to maintain a good quality environment.

5 The garages hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic storage purposes, and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

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

6 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:

- means of enclosure, including any retaining structures:
- minor artefacts and structures (e.g. 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:
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- implementation programme:
- manner and treatment of watercourses, ditches and banks:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- planting plans:

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- hard surfacing materials:
- existing and proposed finished levels or contours.

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

7 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.

8 No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

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.

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

Reason: In the interests of highway safety.

10 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 5 years from the date of the occupation of the building(s) for their 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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

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.

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, H1, H2, H7, H8, T4, T5, T6, E1, E4, E6, E8, E12, E13, E14 and R2
Winchester District Local Plan Review Proposals: DP.1, DP.3, DP.4, DP.5, DP.6, DP.10, CE.10, HE.1, HE.2, H.1, H.3, H.5, H.7, RT.4, T.1, T.2, T.3, T.4 and T.5
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 Sunday 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 allegations of statutory nuisance are sustained by the Environmental Health and Housing Department, and 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.