

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 13 December 2007

Winchester City
Council
Planning Department
Development Control

Committee Decision

TEAM MANAGER
SIGN OFF SHEET

Case No:	07/02501/FUL	Valid Date	9 October 2007
W No:	02246/26	Recommendation Date	27 November 2007
Case Officer:	Mr Robert Ainslie	8 Week Date	8 January 2008
		Committee date	13 December 2007
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Mixed use development including; 4 no. residential dwellings, food store and retail shop units (A1-A5), healthcare facility (D1), car parking and landscaping (amendment to existing planning permission W02246/25 with a reduction of 3 no. dwellings and an increase in floor area to healthcare only)
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Site:	Derek Warwick Honda Stockbridge Road Winchester Hampshire
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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

COMMITTEE ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed		
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

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Item No:	Item 1
Case No:	07/02501/FUL / W02246/26
Proposal Description:	Mixed use development including; 4 no. residential dwellings, food store and retail shop units (A1-A5), healthcare facility (D1), car parking and landscaping (amendment to existing planning permission W02246/25 with a reduction of 3 no. dwellings and an increase in floor area to healthcare only)
Address:	Derek Warwick Honda Stockbridge Road Winchester Hampshire
Parish/Ward:	Winchester Town
Applicants Name:	CM (Winchester) Ltd
Case Officer:	Mr Robert Ainslie
Date Valid:	9 October 2007
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 follows an approval for a similar scheme earlier in the year. The approved scheme included proposals for 7 no residential dwellings at first and second floor level, facing towards Stoney Lane. The current application involves mainly internal alterations in order to reduce the number of dwellings from 7 to 4 and to use the resultant floorspace to provide a larger healthcare facility than previously intended.

Site Description

The application site is 0.56ha in size and until recently was a petrol station and car showroom together with repair workshops. 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 two-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 site 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 running parallel with, Stockbridge Road, separated by mature trees on a landscaped area.

Proposal

The proposal is for a supermarket of 1,868 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 and second floor level there would be a healthcare facility covering 1,522 square metres of floorspace in total (as opposed to 967 sq metres on the previous application), additional storage back-up area for the supermarket and 4 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 and separated from the road 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 5.5m from the footpath which runs alongside Orchard Walk 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

W02246/24 The erection of a part 2, part 3, storey building incorporating a food store, 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 Withdrawn – 15/08/2007.

W02246/25 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 - Application Permitted - 01/08/2007

Consultations

Engineers: Drainage:

Storm water run off will remain the same, so no further comment on this.

Foul water flow from the enlarged healthcare facility should be no more than from the lost residential units, so no further comment to add.

Engineers: Highways:

Highway implications were deemed to be of a strategic nature and were dealt with by Hampshire County Council as highway authority. Suggest that County is consulted as there may need to be a variation of the Legal Agreement.

Environmental Health:

No adverse comments but would recommend that conditions attached to previous approval be attached to any consent granted.

Forward Plans:

SF.6 permits new, extended, etc facilities and services and the text says these should primarily serve a local function but there is no formal definition of 'local'.

SF.1 requires uses attracting large numbers of people to be located in town centres unless they have demonstrated a need and that there are no suitable central sites.

W.5 resists development which would generate 'significant' (undefined) cross-town traffic.

There is therefore an issue about whether a sequential approach should be followed and also

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about whether excessive cross-town traffic will be generated (separate but related issues). The traffic issue has to be for Highways to deal with and it may be that they do not find it demonstrably harmful and Friarsgate argue that there won't be an increase anyway.

On the sequential issue, if this use is within the list in SF.1 there is an argument that it should follow a sequential approach, although SF.6 is more permissive and 'local' in the context of SF.6 could be taken as the whole town. I don't accept Friarsgate's point that there isn't a site available, as it seems there could be town centre sites. Nevertheless, their point about the wide nature of their catchment area is important and suggests a wider view of 'local' should be taken. On balance, refusal could not be justified due to lack of a more detailed sequential test and consider that the submitted letter by Friarsgate Practice answers the point so far as it needs to be, given the permissive nature of SF.6.

Landscape:

Amended landscape details are acceptable in principle. Removal and replacement of the Cherry tree on the corner of Stockbridge Road and Stoney Lane is in accordance with previous comments and the changes to the bed at the top of the ramp, the raised bed to Stoney Lane and Orchard Walk are also acceptable.

Most people drive to recycling facilities and it would therefore make sense to locate them close to parking facilities. Concerns that in the present location they would affect the location of the proposed trees as shown on the landscape details.

Highways (Hampshire County Council)

Trip Generation - evident that the new proposals will have an impact on the proposed traffic generation for the site and as such new trip rate figures have been devised.

These have indicated the following changes:

	Wednesday PM (17:00-18:00)		Saturday Peak (12:00 – 13:00)	
	Arrivals	Departures	Arrivals	Departures
Change	+8	+13	+8	+11

As can be seen from the figures provided, the proposed changes would result in an additional car trip approximately every 2.8 minutes during the weekday peak and an additional car every 3 minutes during the Saturday Peak.

The trip rate figures used for the Friday PM peak were based on 2.83 arrivals and 4.22 departures (per 100 sq m). Those used for the Saturday peak were 2.69 arrivals and 3.53 departures (per 100 sq m). These trip rates were based on the previous proposals and as such the TRICS database was interrogated using differing parameters. Those parameters used assumed a minimum gross floor area of 143 sq m and a maximum gross floor area of 1,000 m². This is significantly below the proposals. (These were for the approved application).

Using revised parameters reflecting the new application, a maximum gross floor area of 1500 sq m was used to ensure the trip rates used were sufficiently robust. On reassessing the potential trip generation, this resulted in lower trip rates than those used by the applicant. The Friday PM peak showed arrivals at 2.475 and departures at 3.749, whilst the Saturday peak resulted in arrivals of 2.57 and departures of 3.401 (per 100 sq m). It is evident that the figures used by the applicant are suitably robust and could well assume an overestimation of the proposed impact.

Parking - As a result of the different land use mix the maximum amount of parking allowed on site has changed from a total of 223 spaces to 228. In view of this the number of 186 spaces proposed is still well within the County standards as laid out in Hampshire Parking Strategy and Standards document.

As stated in the County's previous response the proposed parking allocation on site is such that there could be issues of under-provision causing difficulties on neighbouring roads. In view of this a financial contribution was secured from the previous application to cover the costs which may be incurred in the County progressing a Traffic Regulation Order on any of the surrounding roads.

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Recommendation - Due to the minimal impact the proposals will have on the surrounding networks, the Highway Authority has no objections to this planning application being granted. This is with the requirement that the Section 106 Agreement secured alongside the previous application is varied to reflect the new planning application.

Representations:

City of Winchester Trust:

Whilst appreciating that the general appearance of the scheme has not been changed, the loss of three residential units is regretted. No reason for the change seems to be given and it is wondered why this extra space for the health centre is needed

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

- Lack of adequate proposed recycling facilities. Three small 11,000 litre bottle bins proposed. Inadequate for its likely volume of custom. Other local supermarkets have wide range of recycling facilities. Require adequate bottle bank sized skip, aluminium/steel drinks can container, plastic bag recycling facility. Store will divert a significant customer base from the existing supermarkets. Therefore comparable facilities on a smaller scale should be provided.
- Failure to notify public of apparent intention to transfer an existing healthcare facility from the town centre (Friarsgate Practice) to Weeke. Potential cross town traffic implications, if existing town centre healthcare facility is to be transferred to this site.
- Objection on same grounds as previous application. Despite agreement to pay Hampshire County Council to remove major traffic problems still believe this will not be possible. Traffic survey greatly underestimates amount of cross town traffic that will be generated. Junction is an accident black spot and severely congested especially at peak times. Additional traffic lights will not be sufficient to cope with extra traffic generated.
- Suggest schemes to encourage public transport, cycling and walking by imposing car parking charges at all out-of-town supermarkets, money being diverted directly into public transport/cycle lane construction.
- Adverse affect on other local businesses which may have to close. Newsagent, off licence and Co-op will be especially at risk. Potential closure of the Post Office could affect residents.
- In breach of Policy W1 which seeks to protect and enhance the special character of Winchester. Development would change the character of this green entrance into Winchester.

2 letters of concern from residents

- Hope that this will not entail any more height to the building. Windows of neighbouring flats are in close proximity and concerns about loss of light.

1 letter received in support from Friarsgate Practice.

- Meets business requirements and projected use will enable practice to house District Nurses and other attached staff, having a positive impact on patient care.
- Need for facility – Main priority is to maintain and improve patient care by responding quickly to changes in healthcare needs. To achieve flexible service and to provide patient choice, need an area of the practice that can be adapted to meet new provisions. Recently submitted a number of proposals to PBC locality group for commissioning of new services, which include provision of an obesity clinic and facilities for care of Type 2 diabetic patients (which will free up space in the hospitals for more complex cases). Extra space will allow the practice to provide extra clinics and offer additional services, in line with patient expectations.
- Patient Demographics – In response to PCT decision to extend patient choice by offering a broader range of locations, Weeke proved to be an ideal site for Friarsgate as it sits well within the existing catchment area. Friarsgate Surgery extends to Crawley, Shawford and Kings Worthy and a major change in patient population is unlikely although it is possible a minority of patients from Winnall area may choose to sign up with St Clements surgery. Expect a reduction in cross city traffic and for many patients the new location will be more convenient. Two patient surveys have been conducted and both yielded a positive response. Stanmore patients were concerned about lack of a direct bus route to Weeke, but to ease their situation they will have the opportunity to travel to the surgery at Badger Farm.

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- Business Case – Silver Hill was not an option for Friarsgate because the PCT deemed two practices within the city centre unnecessary and restrictive. Relocation was imperative because there is a compulsory purchase order on the existing building. A number of alternative locations were investigated but the Weeke site was by far the most appropriate in meeting the criteria (ease of access, minimal disruption to existing patients, space requirements, flexibility in terms of additional healthcare services, cost effectiveness).
- Alternative locations – Practice has been seeking new premises for the last decade. To date, no suitable alternative sites that either meet the required level of amenity and economy or satisfy the PCT, have been identified. Hence, the desire to take the subject premises but to extend them slightly to cope with further requirements.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

T5

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

PPG 16 Archaeology and planning

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 principle of the development was considered in some detail at Committee when determining the previous application. The consideration should therefore be limited to those elements of the scheme which are different from the previous approval.

The introduction of a healthcare facility was considered to be in accordance with SF6 and the issue therefore remains as to whether a healthcare facility with a greater floorspace than that previously approved would be acceptable in policy terms. In pure policy terms, a larger healthcare facility should not be unacceptable.

The main issue which requires consideration relates to whether such an increase in floorspace will have an impact on highway matters and this is considered in more detail below.

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Design/layout

The external design of the proposed building has changed very little with only some minor roof alterations and external fenestration. These design alterations are considered to be acceptable and would not result in an unacceptable impact in design terms

Impact on character of area and neighbouring property

It is considered that the external changes to the proposed building would not result in an adverse impact on the surrounding properties.

Landscape/Trees

The developers have been in ongoing consultation with the Planning Authority to meet the requirements of conditions imposed on the previous application in relation to landscaping requirements. The consultation response of the landscape architect reflects those ongoing discussions. It is considered appropriate that the same conditions be attached to this application, if approved.

The issue of recycling facilities is still ongoing with the applicants and an appropriate solution is being explored in relation to a suitable location in landscaping and impact terms.

Highways/Parking

County Highways Officer considers that the proposed scheme would not result in significant additional traffic to that predicted on the approved scheme.

In addition, no concern is raised in relation to the suggestion that there may be an unacceptable increase in cross-town traffic. (The County Highways Officer has had sight of the letter from Friarsgate Practice, which addresses this issue)

Other Matters

The developers are in discussions with the Local Planning Authority to come to an agreement on the condition imposed on the previous approval to provide recycling facilities. The issue of both the location and the type of recycling facilities is being given thorough consideration with the involvement of both the Landscape Architect and the Environmental Protection Team. It is considered appropriate to impose the same condition (Condition 12) on this application, if approved.

Planning Obligations/Agreements

In seeking the planning obligation(s) for 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

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)

SUBJECT TO THE FOLLOWING LEGAL AGREEMENTS AND CONDITION(S):-

Recommendation subject to a Section 106 Legal Agreement or variation of the existing agreement to secure the following:-

- Prior to the occupation of the food store payment of a financial contribution to Hampshire County Council of £250,000 towards highway improvement works to be carried out within 1 km of the development and/or Chilbolton Avenue and its junctions to either end.

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- 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 the County Council within 10 years of opening 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. To be made 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 Rev AA. 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, including details of restriction of deliveries to the site and timing of deliveries (subject to Chairman's agreement)
- Provision of bollards on edges of landscape strip between Burnetts Close and Stockbridge Road, to prevent parking of vehicles on the land during construction and after completion of the development (subject to Chairman's agreement)

And subject to a contribution of £7252 towards provision of Public Open Space

(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.

1 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.

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

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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.

3 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.

4 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:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- manner and treatment of watercourses, ditches and banks:
- implementation programme:

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

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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.

6 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.

7 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.

8 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.

9 Reason: In the interests of highway safety.

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

10 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 Rev AA 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. No structures or equipment, other than those which have received approval by virtue of

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this application, shall be placed on any of the other external areas around the building (with the exception of the area behind the gates by the loading bay area) without the prior written consent of the Local Planning Authority.

11 Reason: In the interests of highway safety and in the interest of visual amenity

12 The applicant shall provide recycling facilities, the details of which, together with the proposed location, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such details shall include any additional landscaping required to soften the impact of the facilities. Such facilities shall be available for use on commencement of the use of the retail store.

12 Reason: In the interests of promoting sustainable developments.

13 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.

13 Reason: In the interests of highway safety.

14 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

14 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

15 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.

i. 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

ii. 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.

iii. 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.

iv. 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.

15 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.

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16 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 from 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.

16 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.

17 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.

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

18 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.

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

19 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.

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

20 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.

20 Reason: In the interest of amenity of neighbouring properties.

21 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.

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

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

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22 Reason: In order to widen the retail choice within the area and 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.

23 The area designated as food store storage/backup on Approved Drawing No 186.102 Z shall be retained as such and shall not be used for retail sales.

23 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.

24 No development, or site preparation prior to development 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 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.

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

25 Details of the construction and fixings for the steel landscape trellis structure shall be forwarded to the Local Planning Authority for approval prior to the commencement of development. Development shall be carried out strictly in accordance with the approved details.

25 Reason: In the interests of the landscape character of the area.

26 No deliveries shall be taken at or dispatched from the site except between the hours of 0700 to 2200hrs Monday to Saturday and 0800 to 1600hrs on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

27 The use hereby permitted shall not be open to customers outside the following times 0800 to 2200hrs Monday to Saturday and as permitted by law on Sundays.

27 Reason: To protect the amenities of the occupiers of nearby 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: T5
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

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- 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