

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	08/01657/FUL	Valid Date	8 July 2008
W No:	14299/07	Recommendation Date	
Case Officer:	Mr Dave Dimon	8 Week Date	7 October 2008
		Committee date	23 October 2008
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	14 no. dwellings comprising of 1 no. five bedroom house, 3 no. four bedroom houses, 3 no. three bedroom houses, 2 no. two bedroom houses, 4 no. two bedroom flats, 1 no. one bedroom flat with parking, landscape and improvements to access.
------------------	---

Site:	Land Adjacent To St John's Croft Blue Ball Hill Winchester Hampshire
--------------	--

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
YES	YES	Y/N	YES	NO	Y/N	NO

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

AMENDED PLANS DATE:-

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 1
Case No: 08/01657/FUL / W14299/07
Proposal Description: 14 no. dwellings comprising of 1 no. five bedroom house, 3 no. four bedroom houses, 3 no. three bedroom houses, 2 no. two bedroom houses, 4 no. two bedroom flats, 1 no. one bedroom flat with parking, landscape and improvements to access.
Address: Land Adjacent To St John's Croft Blue Ball Hill Winchester Hampshire
Parish/Ward: Winchester Town
Applicants Name: Sarum Developments Ltd
Case Officer: Mr Dave Dimon
Date Valid: 8 July 2008
Site Factors: Within 50m of Listed Building
Recommendation: PERMISSION GRANTED

General Comments

This application is reported to Committee because of the number of objection/support representations received and because it is for major development.

Site Description

The application site comprises a small field of 0.41 ha that lies within the Conservation Area adjacent to the Grade II* listed building St. John's Croft. It fronts Blue Ball Hill opposite the small public open space area of Joyce Gardens, which lies on the west side of Magdalen Hill at the point where it turns to become Alresford Road.

The land is part of the large curtilage of St John's Croft and is characterised by a prominent tree belt adjacent to its southern boundary with Blue Ball Hill. Topographically the land rises to a high point in its north east corner where it adjoins the play area in St. Martins Close on its northern side and the rear gardens of properties in St. John's Road on its eastern side. Additionally on the northern side the site adjoins back gardens of a terrace of 6 houses in St. Martins Close and there are a group of trees along the northern boundary.

The western boundary of the site is defined by an old garden wall, which divides the site from the remaining curtilage of St. John's Croft and again there are trees adjacent to the boundary, which contribute to the overall character of the area.

There is an existing field gate access to the site in the south west corner adjacent to St John's Croft and it is the intention to upgrade this access to a road to serve the development.

The character of the area is very much defined by its topography and vegetation, being part of the north western lower slopes of St. Giles Hill. It is within a relatively open area where large trees have been able to establish and relate to the important open space of Joyce Gardens. Development around this area in St John's Street and Blue Ball Hill largely comprises a mix of Victorian terraces and larger individual houses including listed buildings. These reflect its historic context and the housing on the west side of the application site is all at a lower level reflecting the falling topography with its steep slope

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

down to the Itchen Valley. By contrast, to the east, the houses are at a higher level as the slope extends more gently on the northern side of St. Giles Hill down to the Winnall valley area and Victorian terraced housing fronts Alresford Road and St John's Road.

Proposal

The proposal is for an 'L' shaped terrace sited towards the north east corner of the site and comprising 14 dwellings, with the two sides of the 'L' being aligned to the northern and eastern boundaries respectively. The area contained between the two sides of the development forms a central courtyard and turning space, around which are four groups of parking bays totalling 17 spaces. Within the right angled corner of the two sides of the development is a vehicular access through the building to a further parking court area and bin store in the sites north east corner, which is adjacent to the existing children's play area in St Martin's Close. This parking court area provides an additional 7 parking spaces, which are interspersed with two replacement trees, and includes a pitched roof brick bin store building in the north west corner facing the vehicular access into the courtyard.

Access from Blue Ball Hill rises from the existing field gate position in the south east corner of the site along the walled boundary with St John's Croft and swings into the central courtyard.

The terraced development comprises 1 x one bed apartment, 4 x two bed apartments, 2 x two bed houses, 3 x three bed houses and 4 x four bed houses arranged mostly in two storey form but with houses 1, 3, 4, 6, 7, 8 and 9 having second floor accommodation within their roofs served by dormer windows.

Rear garden depths are between 10.5 and 11.5 metres to the northern boundary with properties in St. Martins Close and from 8.6m to 10.5m between the eastern arm of the terrace and properties in St. John's Road. The density of the development is 34.14dph.

Relevant Planning History

The application site has no particular planning history, as the planning history all relates to St. John's Croft itself, rather than the land the subject of this application, although there was formerly a scout hut sited on the land in its south east corner, which was removed many years ago.

Consultations

Conservation

The site comprises sloping land, which has not previously been developed. It is adjacent to St John's Croft, a Grade II* listed building, and within the Winchester Conservation Area. The site contains a number of large trees, with significant amenity value.

Development The proposed development comprises a vehicular/pedestrian access close to the boundary of St John's Croft. The terraced housing would be disposed as an "L", with legs parallel to the north and east boundaries.

The Local Plan Inspector agreed in principle to some residential development on the site, provided the existing tree cover is retained.

Provided the trees are retained, the new buildings should be relatively well screened from local public viewpoints, and would have relatively little effect on the listed building or public views from nearby within the Conservation Area. From ground level the visual impact of the two storey buildings, on longer views from Winchester's city centre, is unable to be fully

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

judged.

The proposed buildings and their materials and details appear to be compatible with local character and the form and design of the built development is not considered objectionable.

Trees The trees have significant amenity value; they form an appropriate setting for St John's Croft and define the boundary of later suburban development to the east.

It is noted that, although the trees along Alresford Road would be retained, trees in the northeast and southwest corners would be removed. Although two new trees would be replanted in the northeast corner, it would be some time before they achieved the size and amenity value of those that would be removed.

Unless there is some overriding justification for the removal of these trees, in both these areas, this should be considered as harmful to the character and appearance of the Conservation Area, contrary to Policy HE.8 and PPG15.

If the application is recommended for approval, standard conditions requiring the submission of brick and roof tile samples should be included.

Archaeology

An archaeological evaluation was undertaken satisfactorily (a monitoring visit was undertaken during the course of the fieldwork). Although the eastern Roman cemetery does not extend into the application site, the evaluation revealed the site does contain archaeological remains relating to medieval settlement activity. This does not constitute an overriding constraint on development, however further archaeological excavation in advance of development works commencing is required in mitigation. In accordance with PPG16 and Policy HE.1 of the Revised Deposit Local Plan it is recommended permission only be granted subject to an A010 condition for a programme of archaeological recording to be agreed in writing with the Local Planning Authority before development commences.

Landscape Trees & Open Space

The site is well concealed from most public viewpoints and the assessment of visual impact in the Design and Access Statement at clause 2.2 is agreed with. There are significant belts of mature trees on all sides, most of which are retained in situ. The proposed layout and configuration of the built form respects these tree belts and appears to be a logical response to the site constraints and opportunities.

The only initial concern was the proposed removal of 6 mature trees in the north east corner of the site. The Arboricultural Officer confirms however that these trees are not suitable for retention and would be better replaced with new trees, in order to maintain tree cover and containment of the site in this area. The Arboricultural Officer will comment in more detail on this aspect.

The proposed tree planting plan (B318 601 Rev C by Balston & Company) is satisfactory, although a large mature Sycamore on the eastern boundary which is proposed for felling is being replaced with a Pear. It is recommended that this be replaced with a Field Maple.

No objection subject to the usual full landscape Condition.

Arboriculture The applicant has submitted an impact appraisal which correctly reflects the status and condition of the trees within the site.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Unfortunately this means the loss of 6 mature trees in the sites north east corner as these trees have defects which make them unviable for retention.

There is therefore no objection to the development provided that a suitable condition is imposed to ensure that good quality trees of an appropriate species, and which will maximise the available mature crown space available on site, are provided.

In addition conditions should be imposed to ensure that the tree protection measures within the impact appraisal and method statement are adhered to during development.

Open Space No objection. Whilst the site is an undeveloped area within the Conservation Area it is neither protected as an important amenity open space under Plan Policy RT1 or protected because of its recreational value under Policy RT2. Furthermore, the site is adjacent to both St Martin's Close open space to the north and Joyce Gardens and St Giles Hill to the south west. Opportunity therefore exists to improve permeability and access to these facilities from the site and with this in mind it is recommended that a pedestrian connection be formed to the adjacent St Martin's Close play area.

The application is for 14 dwellings, which is 1 unit short of the trigger for on-site recreational open space. There will therefore be no requirement for on-site recreational open space and instead the applicant will need to make a financial contribution. At current rates this would be

1 x 1 bed unit @ £563 (Play) + £563 (Sport)	= £1,126
6 x 2 bed units @ £940 (Play) + £940 (Sport)	= £11,280
3 x 3 bed units @ £1,128 (Play) + £1,128 (Sport)	= £6,768
4 x 4+ bed units @ £1,504 (play) + £1,504 (Sport)	= £12,032
TOTAL	= £ 31,206

Adequate amenity open space, a requirement of Policy DP.5, is provided by virtue of the retained tree belts to the south and west of the site and the additional space to the right hand side of the entrance. Details will be required of how it is intended to manage and maintain these open spaces and important tree belts and with this in mind a landscape management condition is recommended. (condition 10) It is presumed that a private landscape management company will be appointed to deal with this.

Engineers: Drainage

Foul water must go to the public sewer and the applicant must liaise with Southern Water to agree a suitable connection point.

Storm water must be dealt with in a sustainable way. The plan indicates that there is a fall from the parking area to Blue Ball Hill and, as no drainage details have been submitted, any water from the development must be directed to a suitable soakage system with no water from the development flowing onto Blue Ball Hill.

Storm water from roofs will also go to a suitable soakage system.

Before commencement of the development, the applicant must submit a detailed drainage layout for the site showing foul water going to the main sewer and storm to sustainable drainage system all in compliance with building regulations. (condition 14)

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Engineers: Highways:

No objection subject to conditions

In order to achieve a suitable means of access with adequate visibility splays, a number of on-street car parking spaces will need to be removed and this needs to be covered by a Traffic Regulation Order (TRO). A TRO application has been made and advertised but is not to be progressed before the planning application outcome is known. Any planning permission will accordingly require a Grampian condition to prevent implementation until such time as the TRO has been approved.

The local highway network can accommodate the additional vehicular traffic that the development will generate. The site layout provides adequate car and cycle parking and there is sufficient area on site for the turning requirements of a large service vehicle. The layout has not been designed to an adoptable standard and will need to be privately maintained in perpetuity.

The provisions of the recently adopted HCC Highway Contributions Policy will require a contribution of £57,513, which should be secured by an appropriate legal agreement.

Environmental Protection (Contaminated Land):

It appears that the site is dissected in its south eastern corner by a disused railway tunnel and that a number of potential contaminative features exist within circa 125 m of the site, including a former railway cutting that has been filled with unknown materials. Given that the proposal is for a sensitive end use regarding vulnerability to the presence of contamination an appropriate contamination assessment is desirable as part of the application process. Without the benefit of such information conditions should be imposed on any permission granted to seek a scheme for dealing with contamination including site investigation and remedial strategy; requirements to apply in the event of discovery of unexpected contamination and a report prior to occupation on the measures implemented. Therefore, the following conditions are required: E110 – Prior to commencement, E111 – Contaminated Land – Prior to occupation and E112 – Contaminated Land – Unexpected Contamination. (conditions 16,17,18)

Strategic Housing:

As the threshold of 15 and the site area threshold of 0.5h have not been achieved, as per policy H.5, there is no affordable housing requirement on this site.

Environment Agency:

The Environment Agency has assessed the application as having low environmental risk.

HCC Ecology

The accompanying Ecological Report (2006) only provides a preliminary assessment of the site's ecological value. The report identifies potential and lack of potential for various protected species, but no full surveys were carried out. Some further work is required. The report concludes that bats are unlikely to be present, (though no survey was carried out) due to the trees being young and not demonstrating features which may have bat potential. However, the arboricultural report states that there are mature trees on site, which will be lost to the proposal. Therefore, it is essential that prior to any felling or tree work, a bat survey of the affected trees is carried out as such trees may support bats. Full information regarding protected species should be available at the time of determination in order that full impacts on protected species (a material planning

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

consideration) can be considered. At least prior to the development an updated, more detailed survey of the site is required and a detailed mitigation strategy produced. Retained habitats on site should be protected from construction impacts such as encroachment by machinery and inappropriate storing of materials. The Reptile Survey submitted separately satisfies concerns regarding potential reptile populations. The Arboricultural Method Statement should be adhered to during the works. The submitted report acknowledges that breeding birds are likely to be using the site, therefore works to trees and scrub must be restricted to outside of the bird breeding period. Stag beetles may be present; therefore deadwood should be retained on site within the existing treed areas, in habitat piles for this Biodiversity Action Plan species.

Winchester & Eastleigh Architects Panel

The panel is concerned that this could be an overdevelopment of the site, shown by the small number of parking spaces provided for 4/5 bedroom houses and the separate area of parking to the rear. However, a communal parking area could be good for neighbour interaction. The garden areas are quite small and overshadowed and face the wrong way. The appearance and detailing are bland and pastiche. The fenestration is too squashed and the detailing too grand for the physical scale of the dwellings. The panel would consider that a more contemporary approach could be suitable for the site, given its very enclosed nature. Also that a courtyard layout is not appropriate in an area of terraced housing. Overall, the panel feels that the site could accommodate a much better scheme, and is a missed opportunity.

Southern Water:

There is currently inadequate capacity in the local network to provide foul sewage disposal and surface water disposal. Therefore the increased flows from the proposed development would subject existing properties and land to a greater risk of flooding.

Additional off site sewers or improvements to existing sewers will be required to service the development. Should the application receive planning approval, the following informative should be added to the permission requiring a formal agreement between the developer and Southern Water to provide the necessary sewerage infrastructure. A condition should be added to the consent that development of the proposal shall not commence until details of the proposed means of foul sewerage disposal have been submitted to and agreed by the Local Planning Authority in consultation with Southern Water. (condition 12)

Further conditions in regard to availability of necessary infrastructure capacity prior to development and details of the proposed means of surface water disposal are also requested (conditions 13,14)

English Heritage:

The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

HCC Education:

The primary school that would serve this site (Winnall Primary) is full so the developer should make contribution towards additional facilities, in accordance with the revised policy approved by the county council in July 2008. This should be as follows 13 dwellings (with 2 or more bedrooms) @ £4,859 = £63,167 (this should be index linked from April 2008 prices – PUBSEC index 197). The county councils legal practice will be happy to discuss the draft section 106 agreement.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Representations:

City of Winchester Trust:

The two terraces should provide a good feeling of intimacy and place; however this is negated by the large area of hardstanding in the centre of the site and the inevitable large amount of cars that will park there. It is suggested that underground parking be considered due to the topography of the site. There is concern that any additional parking in the area will have a detrimental effect upon the rural character of the Blue Ball Hill Conservation Area.

The small rear gardens cause concern as does the close proximity of the new structures to the boundaries, resulting in shading by established trees. If one house were omitted from each terrace, gardens could be enlarged thus reducing shading and the effect of the development on housing on St Martins Lane.

The height, mass and style of the proposal does not reflect the historic architecture or character of the area thus does not enhance the Conservation Area. A simpler, more mannered style would be more appropriate for this sensitive site as would a more sustainable approach.

The proposed replanting on the southern boundary is welcomed, hopefully to include some evergreens and a management plan to ensure their survival.

It is surprising that no access to St Martins Lane playground has been provided given the likelihood of children living in the proposed development.

The Trust considers the proposal constitutes overdevelopment and therefore **OBJECTS** to this application.

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

Landscape

- Overbearing in height, mass and bulk
- Dominating the skyline due to high levels on site.
- Detrimental to neighbouring properties.
- Loss of sunlight to housing on St Martins Close
- Overlooking onto St Martins Close
- Design and layout unattractive.
- Detrimental impact on Joyce Gardens
- Loss of trees and hedgerows
- Loss of green amenity space

Highways

- Extra traffic cannot be accommodated.
- Insufficient parking resulting in extra demand on St John's Road and Blue Ball Hill
- Contractors parking on St John's Road
- Access problems for emergency vehicles
- Loss of on street parking provision to create access
- Road safety: access is from Blue Ball Hill at its narrowest point
- Danger to Old Blue Boar from increase site and road traffic.

Conservation

- Development will destroy 'village-like' character of the area
- Detrimental on view from listed buildings

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

- Detrimental effect on the Conservation Area
- Design out of keeping with the area
- Detrimental impact upon listed buildings in vicinity
- Destroy semi-rural atmosphere of Bubb's Cross
- Loss of wildlife
- Previous applications from neighbouring properties for dormer windows have been refused on the grounds of impact on Conservation Area.
- Contrary to Listed Buildings Act (1990) in that it fails to preserve or enhance the Conservation Area.

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

- Harmful to 'gateway' to Winchester
- Loss of coach house, stables and paddocks
- Spoil views to and from the city
- Damaging to tourism if Conservation Area is eroded.
- St Johns is prime example of Winchester's unique urban/rural environment.

6 letters of support received.

- Site is ideal due to proximity to City centre
- Site is well screened.
- Proposal would be a 'benchmark' development
- High demand for quality housing in district.
- Recent and continuing road improvements can cater for increased traffic.
- Care has been taken to minimise the effect on neighbouring properties.
- Architectural style is in keeping with the area
- Gardens are well landscaped.

Relevant Planning Policy:

Hampshire County Structure Plan Review (saved policies):

T5, E14, E16, E17

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP. 5, DP.6, CE.10, HE.1, HE.4, HE.5, HE.6, HE.16, H.3, H.7, RT.4, T4,T.5, W.1,

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPS 9 Biodiversity and Geological Conservation

PPS12 Local Development Framework

PPG 13 Transport

PPG 15 Planning and the historic environment

PPG 16 Archaeology and planning

PPG 17 Planning for Open Space, Sport and Recreation

Supplementary Planning Guidance

Winchester Conservation Area Project

Winchester District Landscape Character Assessment

Winchester – St Giles Hill Village Design Statement

Other Planning guidance

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Guide to the Open Space Funding System
Hampshire Biodiversity Action Plan
Hampshire Historic Landscape Assessment
Housing Monitoring Report
Movement, Access, Streets and Spaces
Technical Paper: Open Space Provision and Funding
The Future of Winchester Study
Winchester City and its Setting
Winchester District Landscape Assessment
Winchester Sites and Monument Record

Planning Considerations

Principle of Development
Design/layout
Impact on character of Conservation Area.
Impact on amenity of neighbours
Landscape/Trees/Open Space
Highways/Parking
Education Contributions

Principle of development

The site lies within the settlement boundary of Winchester as shown in the Winchester District Local Plan Review and is therefore appropriate for development subject to satisfying other relevant policy provisions. The site is also within the Winchester Conservation Area but again this does not preclude appropriate development. The principle of development on the application site has been established by virtue of the Local Plan Inspector's comments in response to his consideration of and objection to the land being designated as an important amenity area under policy RT.1 of the Local Plan Review as was originally proposed.

The Inspector commented:

"In the case of St John's Croft, this objection is effectively a submission in favour of a housing omission site, but as the prerequisite of any development is the removal of the RT.1 status and was the approach adopted at the Inquiry, I deal with the issues here. The site measures 0.49ha and adjoins St John's Croft, a listed building situated a short distance east of the city centre. The site is designated on the Proposals Map under RT.1 as an open area with an important amenity value to be protected from development. It is clear from the Plan that it is visual amenity that the policy seeks to protect, as opposed to areas which provide recreational amenity protected under RT.2. In the Council's view, the site provides an important open link between the children's play area to the north and the public open space of Joyce Gardens to the south, which in turn links to the parkland of St Giles Hill. In its elevated position the tree cover on site is considered important in views from a range of locations within the city, whilst the field behind the trees is considered important to the setting of the listed building.

The objector cites an absence of public access in favour of the deletion of the RT. 1 status, but I agree with the Council that having regard to the guidance in PPG17 this is not critical. However I support the objector's case in that it is the mature boundary trees that are the main determinant of the site's value as a visual amenity. The Council's references to the site's open nature, rural character and an absence of built development are all well and good, but I agree with the objector's opinion that the public perception of

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

these qualities is extremely limited. Within the site behind the boundary trees there is a pocket of land that has only a limited intrinsic visual merit; essentially it is the tree cover when seen externally from both short and long range views that makes the site a visual amenity. The trees along the northern and eastern boundaries of the site, together with those to the south adjoining Magdalen Hill undoubtedly form a significant contribution to the verdant backdrop of the city centre. However, provided they are retained, and indeed supplemented to reinforce screening during the winter months, I consider that the site is appropriate for residential development and that this would not materially reduce its contribution to the townscape of this part of the city. Certainly I do not see the site as an important link with other spaces in the way the Council describes, as without public access or even views into the site, its function is limited to providing a small part of the mature tree cover that is so characteristic of Winchester.

As part of the evidence to the Inquiry the objector submitted an illustrative scheme of public open space and 15-20 dwellings. Although it is not within my remit to comment on detailed proposals that may come forward, I am nonetheless satisfied that this indicates the site could provide an attractive residential development, whilst protecting the setting of St John's Croft and retaining the trees which contribute to the visual amenity of St Giles Hill. Provided any scheme is handled sensitively, I do not consider that there need be any conflict with the criteria of Proposal DP.5, which include important public views and skyline features, slopes, trees and hedgerows, and open areas important to the townscape. I am aware of the Council's concerns as to the effect of a vehicular access into the site in terms of tree loss, but the objector has pointed out that this would probably involve just one tree. In any event, there is a statutory requirement to take account of the character and appearance of the Conservation Area in the details of any scheme, including the layout and design of the access. Having regard to the above, and taking into account that development would make a useful contribution to the housing stock in a highly sustainable location, I propose the deletion of RT.1 insofar as it affects this site.

The development of the site for residential purposes accordingly is acceptable in principle and the density of development proposed 34.14 dph is within local plan and PPS3 guidelines. The site is not subject to any other material or policy constraints that inhibit the principle of residential development.

Design/layout

The supporting Design and Access statement explains that the form and design of the scheme arises from the need to respond to the constraints of the site and have regard to the terraced character of this predominantly residential area. In this respect the existing site access has been used as the basis for the new access to minimise the impact on the existing landscape and take advantage of the topographical characteristics to reduce the need for excavation. Even so the site levels are such that the access drive and main parking / turning area does involve considerable excavation in order to minimise the gradient and necessitates retaining walls to the access and parking bays that adjoin the dwellings.

The proposed development has also taken due account of the need to minimise the developments impact in terms of not compromising the setting of the existing grade II* listed building St John's Croft. Similarly it has considered other neighbouring properties and the character of the Conservation Area generally, with particular regard to the importance of retaining the important tree belt on the southern boundary of the site.

The design of the dwellings is of traditional style to reflect the architecture found in the

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

surrounding area and has been detailed as a series of subtle hierarchical elements to help articulate the buildings. This is further expressed in the differing roof heights, which step up and down, and the strong chimney features that reinforce the stepping roofline. The materials are of traditional handmade bricks in Flemish bond with plain clay tiled roofs and painted timber casement and sash framed windows. The elevations are also detailed to give identity to the differing house types with changes to the fenestration style and detailing and use of different coloured bricks and tiles.

The dwellings are sited on the higher part of the site to the north west side and step up from the excavated parking / turning area, which on the eastern side is by as much as a 2 metres. The heights of the dwellings vary between 9.35m to 10.55 m ground floor to ridge and the eaves heights are generally at 5.75m and step up consistently with the rising ground level. Whilst the proposals have attracted criticism in terms of their height, bulk and design, and it is noted that the largest dwellings are higher than neighbouring properties in St Martin's Close and St John's Road, it is not considered that such impact will appear inappropriate given that the topography of the area falls to the west, north and north east. There is a wide range of building sizes and heights within the area and in longer views it is unlikely that the proposals will be particularly prominent so long as the existing boundary tree cover is maintained and new planting undertaken.

Impact on character of Conservation Area

As referred to in the section on principle of development the importance of the sites contribution to the character of the Conservation Area was examined by the local plan Inspector. His conclusion was that the site did not need to remain as open space in order to contribute to the character of the Conservation Area as it was essentially the trees that were important, not the open space. The proposed development retains the important tree belt to the southern boundary of the site and proposes additional new planting.

The proposed building is set well back from the trees to avoid pressure upon them that might arise if buildings were too close such that they were susceptible to overshadowing. Nevertheless, the built form that is proposed is substantial, on the high part of the site and of a single mass, albeit relieved by the irregularity of the roofline. Direct views of the mass of the building from outside the site are however unlikely as public views will be filtered either by the trees or will be largely obstructed by other buildings in the foreground. Most views of the development will be from private properties that surround the site with the more distant views being seen in the context of the sites position amidst the established development on the north western slopes of St Giles Hill. In this respect it is unlikely to be any more intrusive than the existing terraces in St Martin's Close, St John's Road and Alresford Road, especially as the scale of the building is relieved by the stepping of the elevations and roof.

At the more local level the building will impact on the views from neighbouring properties in St Martin's Close and St John's Road but the preservation of views enjoyed by private residents is not a material planning consideration as such. The loss of the open aspect over the site that these properties presently enjoy is not such as can be considered to be detrimental to the character of the Conservation Area. The conservation officer has considered the proposal in regard to relevant conservation policies in the local plan and the advice of PPG 15 and considers that the new buildings would be relatively well screened from local public viewpoints and have relatively little effect on the listed building or public views from nearby within the Conservation Area.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

In terms of policy HE.5 of the local plan the proposal is such as can achieve the preservation or enhancement of the character and appearance of the Conservation Area.

Impact on amenity of neighbours

As mentioned above, the impact of the development will be most noticeable from neighbouring properties. Whether such impact is injurious to the amenities of the occupiers of such properties must however be considered in terms of whether there will be loss of privacy or the development will have an overbearing impact and result in overshadowing and loss of light. Not in regard to whether there will be a loss of a view that is presently enjoyed, as this cannot be a ground for refusal.

Of particular importance to these considerations is the distance that will exist between the existing and proposed properties, which in the case of the properties in St John's Road range from 26.23m to 28.6m. This distance comprises of 14 metre back gardens to the proposed houses and the remainder being the existing garden depths of the terrace 45-50 St Martin's Close. Although the proposed terrace of dwellings is set higher than those in St Martin's Close the distance will prevent the building from overshadowing the existing properties and the separation between the terraces exceeds minimum standards that are generally recognised as acceptable in terms of overlooking. Furthermore there are trees and other vegetation on the boundary and it is proposed to plant additional trees to re-enforce the screening. Nevertheless, the additional height of the proposed buildings and the fact that they contain dormer windows within the roof is likely to result in a perception of being overlooked for the existing residents, given that they presently enjoy an open aspect over the site from the rear of their properties.

On the eastern side of the site the proposed terrace has garden depths of between 10 and 12.4 metres to the boundary with properties in St John's Road, where existing garden depths vary between 26.5 metres to 31.8 metres. The proposed houses are again higher than the existing houses in St John's Road but the separation between them, which at its closest point exceeds 36 metres, will ensure that the development does not adversely impact on such properties in terms of overshadowing or privacy.

The closest property to the proposed development is no 1 Alresford Road, which occupies an elevated position fronting Alresford Road adjoining the eastern boundary of the site at its southern end. The side elevation of this property contains ground floor windows and a first floor window in a rear projection but these are not principal windows to habitable rooms and there is a 1.5 metre boundary wall plus existing trees that are to be retained. The dwelling at the southern end of the proposed eastern terrace is angled away from the boundary increasing the depth of garden that separates the proposed dwelling from 1 Alresford Road and the overall distance between the dwellings to 21.5 metres. At its northern end the garden depth reduces to 13 metres. The proposed development will overlook the rear garden of 1 Alresford Road but not to an unacceptable degree having regard to the depth of garden that is being provided and the existing and proposed tree planting that adjoins the eastern site boundary.

Landscape/Trees/Open Space

As previously referred to, the sites contribution to the character of the Conservation Area is particularly attributable to its tree cover. Accordingly in recognition of the need to preserve and enhance this character a detailed arboricultural impact appraisal and method statement, together with a detailed landscaping scheme support the application. The Landscape and arboricultural officers have carefully considered these reports and

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

agree with their conclusions.

The proposal involves the loss of 15 trees in total but this is compensated for by new planting proposals, which provide for 38 new trees. The proposed tree losses concern 5 trees adjacent to the rear boundary with the play area in St Martin's Close, which all have severe stem defects. Also three sycamores adjacent to the site entrance, which need to be removed in connection with the construction of the access drive, as do a mixed group of 6 small trees on the western boundary, and a single large sycamore on the eastern boundary, which has extensive decay to the main trunk. All the trees to be removed are categorised poor or very poor.

The proposed landscaping scheme provides for replacement trees to mitigate the loss of trees that need to be removed as well as for additional planting adjacent to the proposed access drive. It also reinforces existing tree planting on the northern boundary helping to maintain a screen between the terrace in St Martin's Close and the new building. Additional planting is also proposed to the rear of the existing tree belt on the southern boundary, which is retained, as are the four large sycamores adjacent to the eastern boundary. Yew hedge planting is proposed within planter enclosures around the parking courtyard which is to be surfaced in resin bound gravel.

A Landscape Management Plan is provided for the retained existing woodland areas as well as the new planting and this will be secured through the legal agreements requirement that a management company be formed to undertake the ongoing management of all common areas.

Although there is considerable concern about the impact of the proposals on the landscape, the principal tree elements are retained with only poorer category trees being lost and the new planting proposed will ensure that the scheme maintains and enhances the landscape character of the area.

As mentioned in the consultation section, there is no on site open space provision as the development is only for 14 dwellings but a financial contribution of £31,206 is being made to offsite sport and play provision and the existing retained tree belt provides sufficient amenity open space. The possibility of providing a pedestrian link to the existing children's play area in St Martin's Close was suggested to the applicant but was resisted as being undesirable in security terms.

Highways/Parking

The development can be satisfactorily served by the access arrangements proposed but the access road will remain private and not be adopted as public highway. This is a normal arrangement for many residential schemes and the future maintenance of the access road, parking and turning areas is secured by way of a requirement for the establishment of a management company under the provisions of the legal agreement.

Although many representations cite traffic and parking concerns the engineer advises that the highway network can accommodate the traffic that the development will generate. Car and cycle parking provision is adequate for the development and the on site turning space is adequate for large service vehicles.

A particularly contentious consequence of the scheme is the need for a number of existing on street parking spaces to be removed in order to achieve a suitable means of access with adequate visibility splays and this will require a Traffic Regulation Order.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

An application to make the Order has already been submitted and advertised, as a result of which a considerable number of objections were made to the Order. The progressing of the Order has therefore been deferred to await the outcome of this planning application. Any planning permission must accordingly be subject to a Grampian type condition that would prevent its implementation until the Traffic Regulation Order is satisfactorily concluded. (Condition 3)

The development, if permitted, should also make appropriate contributions to HCC highways contributions policy (£57,513) and be subject to appropriate highways conditions. (see conditions 4,5,6,7)

Education Contributions

The County Council has requested that this application contribute to the provision of education facilities in view of the fact that the catchment primary school that would serve the site is full and would require additional facilities to meet any additional demand arising from this development. Under the County Council policy (July 2008) for the provision of children's services the School Places Plan requires that new developments contribute to the provision of educational facilities where there is an identified need. The contribution sought is £4,859 per dwelling of two or more bedrooms.

The Winchester District Local Plan presently only identifies the need for education contributions in regard to development within the major development areas (paragraph 12.36) and the council has not adopted the HCC policy referred to above. Nevertheless the provisions of circular 5/05 (paragraph B3) state that a planning obligation can be used to mitigate a development's impact and make acceptable a development which would otherwise be unacceptable in planning terms. Furthermore, paragraph B9 states that developers may reasonably be expected to pay or contribute to the cost of all or that part of additional infrastructure provision which would not have been necessary but for their development.

Legal advice is that the required contribution to the provision of education facilities is appropriate within the terms of circular 5/05 and the developer has offered through a unilateral undertaking to make such contribution to HCC as a relevant and necessary requirement of the development proposed.

As this issue will be relevant to many of the housing schemes coming forward across the district, especially in Winchester where the existing school places provision is oversubscribed or at capacity in a number of cases, and it is of particular relevance where reserve sites are allocated under proposal H2 of the local plan review, it is intended to bring a report to cabinet as soon as possible explaining the county council policy and seeking its formal adoption by the city council. In the meantime however, it is appropriate that where, as in this case, the effect of a development will result in a need for the provision of further school places, such need should be met on a case by case basis under the provisions of circular 5/05.

Other Matters

The application was additionally supported by a phase 1 ecological report and addendum reptile survey. The County ecology section has called for more detailed surveys before any development commences particularly in regard to possible bat habitat within the existing trees and this is covered by condition 22.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

A community consultation exercise was undertaken prior to the formulation of the planning application, in accord with the Council's adopted Statement of Community Involvement. This involved a public exhibition in St John's church on 12th and 15th September 2007, which was attended by over 90 people, and the issues arising are summarised in the Design and Access Statement. Changes to the scheme arising from the comments are principally the deletion of the car port in the parking courtyard to the north east corner adjacent to the play area which has enabled replacement trees to be provided.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for public open space, Transport, Education and a management company for the maintenance of common areas 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

That permission be GRANTED subject to:-

(i) The securing by appropriate legal agreement (the terms of which to be approved by the City Secretary and Solicitor) of the below provisions under Section 106 of the Town and Country Planning Act, and any other relevant provisions as set out below:

1. Public Open Space contribution of £31,206 (£15,203 for the play and £15,203 for the sports components)
2. HCC Transport contribution of £57,513
3. HCC Education contribution of 63,167
4. The setting up of a management company to secure the future management of all common areas that do not form parts of private curtilages and comprising, access roads, footpaths, parking areas, retaining walls, bin storage, hard and soft landscaping and the retained trees.

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

(ii) The following conditions:

Conditions

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

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

2. No development shall take place until details and samples of the materials to be used for the construction of the external surfaces of the development 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.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

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

3. No development shall commence until such time as the applicant/developer has obtained a confirmed Traffic Regulation Order in regard to the proposed removal of existing parking provisions in Blue Ball Hill which are necessary in connection with the provision of a satisfactory access arrangement to serve the development.

Reason: In the interests of highway safety as the access visibility splays would be unacceptably compromised by the retention of the existing on street parking arrangements.

4. 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.

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

Reason: In the interests of highway safety.

6. Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

Reason: In the interests of highway safety.

7. The garages / parking spaces hereby approved shall not be used for any other purpose than the parking of cars.

Reason: To ensure the provision and retention of the garages / parking spaces in the interests of local amenity and highway safety.

8. 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:

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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Soft landscape details shall include the following as relevant:

- (g) planting plans:
- (h) written specifications (including cultivation and other operations associated with plant and grass establishment:
- (i) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- (j) retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- (k) manner and treatment of banks:
- (l) implementation programme:

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

9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner 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.

10. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

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

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

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

12. Occupation of dwellings shall not occur until the Local Planning Authority is satisfied that the necessary infrastructure capacity is available to adequately service the development. This decision will be reached in consultation with Southern Water.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Reason: Since without improvements to the sewerage infrastructure being first provided to ensure adequate capacity of foul sewage disposal a negative impact on existing services is likely and must be prevented.

13. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the local planning authority in consultation with Southern Water.

Reason: To ensure that adequate foul sewerage disposal provision is available to serve the development.

14. Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved in writing by, the local planning authority in consultation with Southern Water.

Reason: To ensure that satisfactory surface water disposal provision is available to serve the development.

15. Detailed proposals for the disposal of foul and surface water, including any surface water Sustainable Drainage System, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before the development is occupied.

Reason: To ensure satisfactory provision of foul and surface water drainage.

16. Prior to the commencement of the development hereby permitted (or within such extended period as may be agreed with the Local Planning Authority), a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites – code of practice and Contaminated Land Reports 7 to 11 or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

a) A desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;

b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;

c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works. E110

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

17. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provision of E110c) shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under the provisions of conditions E110c) has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance. E111

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

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

18. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details. E112

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

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 and they shall be adhered to throughout the construction period.

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

20. 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, D, E, of Parts 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 amenity and privacy both between occupiers of properties within the development and of those occupying properties adjoining the development.

21. 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 windows, doors, dormer windows or roof lights other than those expressly authorised by this permission shall, at any time, be constructed in any of the elevation(s) of the dwelling houses hereby permitted.

Reason: To protect the amenity and privacy both between occupiers of properties within the development and of those occupying properties adjoining the development.

22. In accord with the recommendations of the supporting Ecological Report the applicant or their agents or successors in title shall ensure that before development commences a detailed Phase II ecological investigation and survey of the site at an appropriate time of year is undertaken to ensure that no protected species are present on the site. The findings of such survey shall be submitted to the Local Planning Authority for consideration together with a scheme of mitigation and programme for implementation of such measures. The development shall be undertaken in adherence with an approved landscaping, native planting and ecological enhancement scheme. Such a scheme shall demonstrate that habitat; connectivity and the site have been enhanced for biodiversity in line with PPS9 and include features such as bird and bat boxes. Any site clearance of trees or

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

scrub should be undertaken outside of the bird breeding season. The approval in writing of the LPA shall be obtained before any work is commenced and the approved details shall be fully implemented as approved before the dwellings are occupied.

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

23. 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 five years 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.

24. An Arboricultural Method Statement, in accordance with BS5837:2005 shall be submitted to and approved by the Local Planning Authority, prior to any, construction or groundwork commencing on the site.

The Arboricultural Officer shall be informed as soon as the construction exclusion zone has been fenced so that it can be inspected and deemed appropriate and in accordance with the approved Method Statement. Contact 01962 848317.

No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement

Any deviation from works prescribed or methods agreed in accordance with the Method Statement shall be agreed in writing to the Local Planning Authority.

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

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

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, E14, E16, E17,
Winchester District Local Plan Review: DP.1, DP.3, DP.4, DP. 5, DP.6,
CE.10, HE.1, HE.4, HE.5, HE.6, HE.16, H.3, H.7, RT.4, T2, T.4, T.5, W.1,
3. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd Anglo St James House 39a Southgate Street, Winchester, SO23 9EH (tel01962 858688) or www.southernwater.co.uk
4. The applicants attention is drawn to the fact that it is an offence to undertake works that affect the habitat of protected species without first undertaking appropriate surveys and providing a mitigation strategy and first obtaining and complying with the terms and conditions of any licences required, as described in Part IV B of Circular 06/2005. You should accordingly liaise with Natural England to ensure that the provisions of the following legislation are satisfied before any work is commenced on site pursuant to the permission hereby granted: Parts IV and Annexe A of circular 06/2005 'Biodiversity and Geological Conservation'; Section 40(1) of the Natural Environment and Rural Communities Act 2006 and Regulation 3(4) of the Conservation (Natural Habitats & c) Regulations 1994 and section 74 of the Countryside and Rights of Way Act 2000.
5. The applicant is advised that a licence will be required to carry out highway works. Please contact: Hampshire Highways, Central Depot, Bar End Road, Winchester, SO23 9NP. (Telephone: 01962 892850). INH100 (Hampshire Highways, Winchester)