

PLANNING DEVELOPMENT CONTROL COMMITTEE

17 February 2009

Attendance:

Councillors:

Jeffs (Chairman) (P)

Barratt (P)

Baxter (P)

Busher (P)

Fall (P)

Huxstep (P)

Johnston (P)

Lipscomb (P)

Pearce (P)

Ruffell (P)

Tait (P)

Others in attendance who addressed the meeting:

Councillors Achwal, Evans and Love

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 29 January 2009, be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

[\(Report PDC788 refers\)](#)

Councillor Baxter declared a personal (but not prejudicial) interest in respect of Items 3a and b, as he knew both the Parish Council representative that spoke (Mr Loader) and the objector (Mr Harris). He spoke and voted thereon.

Councillor Busher declared a personal (but not prejudicial) interest in respect of Item 4, as she knew both the developer and two of the objectors. She also declared a personal (but not prejudicial) interest in respect of Items 5 and 6 as she was acquainted with the applicant and was a member of the National Farmers Union. She spoke and voted on all these items.

Councillor Jeffs declared a personal (but not prejudicial) interest in respect of Items 3a and b, as he knew Mr Harris' wife through the Winchester Conservative Association. He spoke and voted thereon.

Councillor Johnston declared a personal (but not prejudicial) interest in respect of Items 3a and b, as he knew Mr Harris through their work together on the Winchester and District Savers Scheme. He spoke and voted thereon.

Councillor Lipscomb declared a personal (but not prejudicial) interest in respect of Items 3a and b, as he knew one of the objectors that spoke (Mr Harris) through their work on the Council's Standards Committee, where Mr Harris was an Independent Member. He also knew Mr Harris' wife through the management committee of the Winchester Conservative Association. However he did not know them outside of these circumstances and therefore spoke and voted thereon.

By way of a personal statement, Councillor Jeffs explained that he had predetermined Report PDC792, by supporting the applicants' case outlined in the Report. Councillor Jeffs therefore withdrew from the Committee for that item and, having made representations during public participation, sat in the public gallery during the subsequent exempt session.

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

Item 1: Knowle Village, Knowle Avenue, Knowle – Case Number 08/02352/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, officers suggested the following amendments to the recommendations, which were agreed by Committee:

Recommendation 1 (page 17 of the Report):

“The development of the site to provide, in the event that it is developed as a scheme of market housing, the provision of 5.1 units of affordable housing (being 30% of the difference between the proposed scheme and the extant permission for 50 units). This is because the legal agreement cannot require that more affordable housing be provided than is required to satisfy the provisions of Policy H.5 of the Local Plan.”

Condition 7 (page 19 of the Report):

“The parking spaces hereby approved shall not be used for any other purpose than the parking of cars. The car parking spaces shall remain as general casual/visitor parking spaces and must not be allocated to any specific household.”

Mr Shrive (Knowle Residents' Association), Ms Hollis (Wickham Parish Council) and Councillors Evans and Clear (as Ward Members) spoke against the application. Councillor Coates (as Portfolio Holder for Housing) and Mr McPhillips (on behalf of the applicant) spoke in support of the application.

In summary, Councillor Evans explained the historical context of the re-development of Knowle and highlighted that Whiteley's affordable housing quota had been commuted to Knowle. She commented that Knowle was not a sustainable location, as it had few facilities and poor public transport links. As such, she explained that many of those who were on the affordable housing waiting list for Wickham, were unlikely to want to live in Knowle. Related to this, there was likely to be pressure on car parking spaces, but she endorsed

the recommendation that, in order to maximise their use, spaces should not be allocated to dwellings.

Councillor Evans continued that it was probable that the new dwellings would be rented accommodation and, therefore, the occupants were less likely to become fully engaged in the process of building the sense of community that was required at Knowle. Whilst she supported the principle of affordable housing, she regretted that this particular application resulted in their concentration on one site, rather than pepper-potting across the whole development.

Councillor Clear endorsed the comments made by Councillor Evans. She added that the proposal (by virtue of being entirely social rented) was contrary to the affordable housing supplementary planning guidance, which sought to avoid a predominance of single tenure type. She also explained that, as the new occupants were unlikely to be in Knowle during the day, the proposed development would do nothing to improve the viability of the local shop and community generally.

In conclusion, Councillor Clear stated that the proposed application would not lead to an improvement in the quality of life at Knowle and that the lack of facilities would render occupants in a state of rural isolation.

In summary, Councillor Coates reminded the Committee that the Local Plan set minimum, not maximum, numbers for affordable housing provision. He added that there was likely to be a mix of tenure types including shared equity. He also reminded the Committee of the wider economic climate, which limited the viability of large developments and that the refusal of this application would have a detrimental effect on the Council's ability to meet its affordable housing requirements, set out in the existing Local Plan and the emerging Local Development Framework.

During debate, amongst other issues, the Committee discussed how the affordable housing at Knowle had failed to be pepper-potted throughout the development, the role of the developer's masterplan and the infrastructure (including bus services and education provision) at Knowle. The Committee also discussed the form of the development and garden space.

The Head of Legal Services advised that the Committee should consider the application having regard to statutory exercise. He explained the statutory requirements for the determination of the application. He said that the application was consistent with planning policy insofar as the provision of infrastructure and that there was no requirement for provision of, or contributions toward, education. He advised that provision of affordable housing was a material consideration which would tend to favour the development, but that the Committee would need to consider what the weight of that consideration would be, in the context of the application.

At the conclusion of debate, the Committee agreed to refuse planning permission as it considered that the height, spatial character and form were out of character with the village location and therefore did not respond

positively to the character and appearance of the local environment (Local Plan Policy DP3ii refers).

The Committee also considered that the application failed to meet the requirements of H7(ii) of the Winchester District Local Plan Review, as the density was in excess of 50 dph, yet was neither close to a town centre or public transport.

Therefore, the Committee did not support the recommendation set out in the Report and instead agreed to refuse planning permission, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the detailed wording of the reasons for refusal as decided by the Committee and as summarised above.

Item 2: The Hollies, 31 Main Road, Littleton – Case Number 08/02582/FUL

The Head of Planning Management explained that this item had been deferred, pending the submission of an arboricultural survey and method statement and the submission of further amended plans, to include the revised drainage field within the application site's red line.

Items 3a and b: Chilland Mill, Lower Chilland Lane, Martyr Worthy – Case Numbers 08/02134/FUL and 08/02135/LIS

Mr Harris (a local resident) and Mr Loader (Itchen Valley Parish Council) spoke against the applications and Mr Brill (applicant's architect) spoke in support.

Following discussion, the Committee agreed that the applications should be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee, to be held on 9 March 2009. This was because Members did not consider it possible to determine the application without first visiting the site, to assess the proposed layout and how it affected its immediate environment; along with features of the design, such as the metal fence, glass bridge and proposed changing room. Members also requested that samples of the proposed materials be available for inspection by the Sub-Committee.

Item 4: 11 Hoe Road, Bishops Waltham – Case Number 08/02794/FUL

Mr Neale and Coles, and Ms Edge (Bishops Waltham Parish Council) spoke against the application. Mr Taylor (on behalf the Swaythling Housing Association) spoke in support of the application.

The Head of Planning Management explained that, subsequent to the publication of the Report, comments had been received from Strategic Housing. This confirmed that the proposal was for socially rented housing, to meet housing need in Bishops Waltham, and that they were exploring the possibility that one of the properties could be adapted to meet the needs of a disabled person on the housing waiting list.

He also reported that six further letters of objection had been received but, other than referring to the bus route along Hoe Road, these did not raise any new issues to those covered in the Report.

The Head of Planning Management also commented that the County's Ecology officers had recommended an additional condition relating to bats, in the interests of nature conservation. This amendment was agreed by the Committee.

Following debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions as amended above) set out in the Report.

Item 5: South Lynch Dairy, Farley Mount Road, Hursley – Case Number 08/02091/FUL

Mr Rees spoke in support of the application and the related Item 6 below.

During debate, the Committee noted that the application had been submitted 10 months short of the minimum three years required by Planning Policy Statement 7, to demonstrate the viability of the agricultural activity to which the proposed dwellings would be tied. Although the dairy relevant to the application had only been bought by the applicant in October 2006, Members noted that the applicant's family had been successfully farming in Hampshire for five generations. The Committee therefore considered that in these particular circumstances and taking account of the size and established nature of the applicant's agricultural enterprise, the viability test had been sufficiently demonstrated.

The Committee also expressed its lack of confidence in the desk-top study, undertaken by the Council's consultants, which had concluded that there was no overriding functional need for the agricultural worker to live on-site.

Therefore, the Committee did not support the recommendation set out in the Report for the above reasons and instead agreed to grant planning permission, with authority being delegated to the Head of Planning Management to set appropriate conditions and requirements for commuted payments towards public open space and highways if appropriate.

Item 6: Pitt Down Farm, Farley Mount Road, Hursley – Case Number 08/02093/FUL

Mr Rees spoke in support of the application (as above).

For the same reasons set out above in Item 5, the Committee did not support the recommendation set out in the Report and instead agreed to grant planning permission, with authority being delegated to the Head of Planning Management to set out conditions and any requirements for commuted payments towards public open space and highways, if appropriate. In relation to this application, the Committee noted the additional recommended reason for refusal that related to visual intrusion. Therefore, it delegated to the Head

of Planning Management authority to set additional conditions to introduce a landscaping scheme, to mitigate the development's visual effect.

Item 7: Tesco Catering, Tesco Stores Ltd, Whiteley Way, Whiteley – Case Number 08/02494/FUL

Mr Evans (Whiteley Parish Council) and Councillor Achwal (a Ward Member) spoke against the application.

In summary, Councillor Achwal commented that many of the local residents affected by the application had not been consulted and that the site notice had been inadequate. Her own investigations of local opinion had discovered that the majority of local residents were against the application. She explained that the residential nature of this application site could not be compared with the wind turbine which had been recently granted, under officers' delegated powers, at the Winnall Tesco's site. She also underlined that, given the scale of the turbine, the proposal would have a detrimental effect on nearby residents. She concluded by requesting that the site be visited by the Planning Development Control (Viewing) Sub-Committee.

In response to these concerns, the Committee noted that neighbour notification and advertisements for the proposals had been undertaken in the usual manner. Members also noted the comments of the Head of Environment, who explained that the noise of the turbines was likely to be drowned out by other background noise, including that of the nearby motorway. Furthermore, it was explained that although the turbines would produce only 6kw of power, Planning Policy Statement 22 stated that the level of output was not a material consideration. The Committee also noted that health and safety issues were covered by other legislation.

However, at the conclusion of debate, the Committee agreed that the proposal would have a detrimental visual impact by virtue of its design and scale.

Therefore, the Committee did not support the recommendation set out in the Report and instead agreed to refuse planning permission, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the detailed wording of the reasons for refusal as decided by the Committee and as summarised above.

RESOLVED:

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

2. That, in respect of Item 1 (Knowle Village) the application be refused, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the detailed wording of the reasons for refusal as decided by the Committee and summarised above.

3. That, in respect of Item 2 (The Hollies, 31 Main Road, Littleton) the application be deferred, pending the submission of an arboricultural survey and method statement and the submission of further amended plans to include the revised drainage field within the application site's red line.

4. That, in respect of Item 3 (Chilland Mill, Lower Chilland Lane, Martyr Worthy) the application be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee, to be held on 9 March 2009.

5. That, in respect of Item 5 (South Lynch Dairy, Farley Mount Road, Hursley) the application be granted, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the conditions and requirements for commuted payments towards public open space and highways if appropriate.

6. That, in respect of Item 6 (Pitt Down Farm, Farley Mount Road, Hursley) the application be granted, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the conditions and requirements for commuted payments towards public open space and highways if appropriate.

7. That, in respect of Item 7 (Tesco Catering, Tesco Stores Ltd, Whiteley Way, Whiteley) the application be refused, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the detailed wording of the reasons for refusal as decided by the Committee and summarised above.

3. **CONFIRMATION OF TREE PRESERVATION ORDER 1931 – LAND AT BORDERLANDS, BROCKBRIDGE**
[\(Report PDC790 refers\)](#)

RESOLVED:

That Tree Preservation Order 1931 be confirmed.

4. **CONFIRMATION OF TREE PRESERVATION ORDER 1932 – WEST OF WATERLOOVILLE MAJOR DEVELOPMENT AREA (WIMPEY)**
[\(Report PDC791 refers\)](#)

RESOLVED:

That Tree Preservation Order 1932 be confirmed.

5. **ST PAUL'S HOSPITAL, WINCHESTER (LESS EXEMPT APPENDIX)**
[\(Report PDC784 refers\)](#)

The Head of Legal Services explained that, following the publication of the Report, further comments had been received from St Paul's Residents' Association, as briefly summarised in the update sheet.

County Councillor Dickens (the Division Member) and Mrs Marks (Orams Arbour Residents' Association) spoke on the issue of the landscaped banks and Mr Digance (on behalf of Kempthorne) explained the position of the management company.

Councillor Love (a Ward Councillor) spoke on the Report. He read to the Committee the views of the St Paul's Residents' Association. In summary, these supported the view that the gate should remain unlocked to preserve the permeability of the site and reduce pedestrian walking distances. They also argued that locking the gate would set an unwelcome precedent for other areas in the District, such as Peninsula Barracks. They highlighted that Police records did not support the view of Kempthorne, that the area was more badly affected by anti-social behaviour than any other part of the town centre and that, if anything, the existence of the locked gate was in itself likely to produce anti-social behaviour through the frustration of pedestrians after having walked 200 metres to reach a dead-end. They also questioned the position of Kempthorne (set out at paragraph 3.4 of the Report) and it was the St Paul's residents' view that the footpath met the criteria set out in the "Secure by Design" guidance.

The Committee considered the advice in the Exempt Appendix to the Report. During discussion, Members noted that there were no statistics held that distinguished between anti-social behaviour occurring on Orams Arbour and the land of the former St Paul's Hospital site. The Committee considered the consultation the management company had undertaken with its residents and recommended an increased dialogue between the management company, residents of St. Paul's Hospital, and other interested parties. Comments were also made regarding the additional safety of the route through St Paul's Hospital, in comparison to the slightly longer route around the perimeter wall. Members considered that this offered pedestrians a feeling of additional security and that the steps were less dangerous than the sloping exterior footpath in icy conditions.

At the conclusion of debate, the Committee agreed that the locked gate was contrary to the Council's policies of permeability through developments. The Committee therefore agreed that the Head of Legal Services be instructed to write to the management company seeking the removal of the lock and, if necessary, issuing injunctive proceedings and report back to a future meeting of the Committee.

The Committee also noted the problems related to the condition of the landscaped banks and the concerns of the residents of St Paul's Hill and Clifton Terrace, in terms of debris on the road and loss of light. Following discussion, the Committee therefore agreed that the Head of Legal Services

be instructed to write to the management company, pointing out their common law duties in respect of the maintenance and management of the landscaped banks and seek details of the management and maintenance arrangements they had in place.

RESOLVED:

1. That the Head of Legal Services be instructed to write to the management company (Kempthorne) seeking the removal of the lock and, if necessary, issuing injunctive proceedings and bring a progress report back to a future meeting of the Committee.

2. That the Head of Legal Services, in consultation with the Head of Environment, be instructed to write to the management company (Kempthorne) pointing out their common law duties in respect of the maintenance of the landscaped banks, and seeking details of the management and maintenance arrangements they had put in place.

6. **EXEMPT BUSINESS**

RESOLVED:

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

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

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	Land at Cedar Bungalow, Malthouse Lane, Bighton, Alresford	Information relating to any individual (Para 1, Schedule 12A refers)
		Information which is likely to reveal the identity of an individual (Para 2, Schedule 12A refers)
		Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)

	)	Information in respect of
	)	which a claim to legal
	)	professional privilege could
	)	be maintained in legal
	)	proceedings. (Para 5
	)	Schedule 12A refers)
)	
##	)	Information in respect of
St Paul's Hospital,	)	which a claim to legal
Winchester – Exempt	)	professional privilege could
Appendix 4	)	be maintained in legal
	)	proceedings. (Para 5
	)	Schedule 12A refers)

7. **ST PAUL'S HOSITAL, WINCHESTER (EXEMPT APPENDIX)**

The Committee discussed the exempt appendix which related to Counsel's advice.

RESOLVED:

That the exempt appendix be noted.

8. **LAND AT CEDAR BUNGALOW, MALTHOUSE LANE, BIGHTON, ALRESFORD**
(Report PDC792 refers)

The Report set out the background and options regarding the demolition of Cedar Bungalow, Malthouse Lane, Bighton.

Councillor Jeffs (as a Ward Member) and Mr McCowen (on behalf Manor Farm Limited, the applicant) spoke in support of the proposed amendment to the Section 106 Legal Agreement (see exempt minute for further details).

The meeting commenced at 9.30am, adjourned for lunch between 12.30pm and 1.45pm and concluded at 6.30pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE: DEVELOPMENT CONTROL MEETING

RESOLUTION

17.02.2009

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Item **Wickham** **Ward** **Wickham**

1 Conservation

Area:

Case No: 08/02352/FUL

Ref No: W14097/61

Date Valid: 8 October 2008

Grid Ref: 456065 109425

Team: WEST

Case Officer: Mr Dave Dimon

Applicant: Berkley Homes (Southern) LTD

Proposal: (AMENDED DESCRIPTION & AMENDED PLANS)

Development of 67 dwellings comprising; 6 no. one bed flats, 34 no. two bed flats, 2 no. two bed houses, 20 no. three bed houses, 5 no. four bed houses with associated access, parking and landscaping

Location: Knowle Village Knowle Avenue Knowle Hampshire

Officer PER

Recommendation:

Committee Decision:

REFUSED SUBJECT TO THE FOLLOWING REASON(S):-

Conditions/Reasons

1 The proposed development by reason of its height, form, density and spatial characteristics is not in accordance with policy DP3 (ii) of the Winchester District Local Plan Review in that it does not respond positively to the character appearance and variety of the local environment. Furthermore it would have an unacceptably dominant impact on this edge of settlement area to the detriment of its character and where a more suburban form of development is appropriate in recognition of its interface with the adjoining countryside.

2 Development as proposed is not in general accord with policy H7 (iii) of the Winchester District Local Plan Review in that it comprises high density development that is not close to a town centre or public transport corridor.

3 The proposal is contrary to policy RT.4 of the Winchester District Local Plan Review in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.

4 The proposal is contrary to policy DP9 and T.5 of the Winchester District Local Plan Review in that it fails to make adequate provision for transport contributions in accord with the adopted policy of Hampshire County Council for funding of transport improvements to serve the impact of new development and would therefore be detrimental to the existing transport infrastructure.

5 The proposal is contrary to policies H.5 of the Winchester District Local Plan Review in that it fails to secure the provision of affordable housing to an appropriate proportion, mix and tenure to meet the identified housing need as required by the provisions of such policy.

Informatives

1. The Local Planning Authority has taken account of the following development plan policies and proposals:-
Hampshire County Structure Plan Review T5, E16,
Winchester District Local Plan Review: DP.1, DP.3, DP.4, DP.5, DP.9, H.7, RT.4, T.2, T.3, T.4,

Item	Littleton And Harestock	Ward	Littleton And Harestock
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2	Conservation		
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Area:

Case No: 08/02582/FUL

Ref No: W11578/06

Date Valid: 20 November 2008

Grid Ref: 445634 132189

Team: EAST **Case Officer:** Andrea Swain

Applicant: Mr Richard Kilcommons

Proposal: (AMENDED PLANS) Erection of two bedroom house with ground floor below ground level on land to the rear of The Hollies, 31 Main Road

Location: The Hollies 31 Main Road Littleton Winchester Hampshire SO22 6QQ

Officer: PER

Recommendation:

Committee Decision:

Defer for an arboricultural survey and method statement and the submission of further amended drawings to show the drainage field within the red line area of the application site.

Item **Itchen Valley** **Ward** **Itchen Valley**

3A **Conservation**

Area:

Case No: 08/02134/FUL

Ref No: W03990/26

Date Valid: 9 September 2008

Grid Ref: 452326 132564

Team: EAST **Case Officer:** Andrea Swain

Applicant: Mr David Lyons

Proposal: Restoration and extension to Chilland Mill and Eel House and refurbishment of frontage onto Chilland Lane (AMENDED PLANS)

Location: Chilland Mill Lower Chilland Lane Martyr Worthy Hampshire

Officer PER

Recommendation:

Committee Decision:

Deferred for consideration by Planning (Viewing) Sub-Committee

Item **Itchen Valley** **Ward** **Itchen Valley**

3B **Conservation** Chilland Conservation Area

Area:

Case No: 08/02135/LIS

Ref No: W03990/27LB

Date Valid: 9 September 2008

Grid Ref: 452326 132564

Team: EAST **Case Officer:** Andrea Swain

Applicant: Mr David Lyons

Proposal: Restoration and extension to Chilland Mill and Eel House, new garage and refurbishment of frontage onto Chilland Lane

Location: Chilland Mill Lower Chilland Lane Martyr Worthy Hampshire

Officer PER

Recommendation:

Committee Decision:

Deferred for consideration by Planning (Viewing) Sub-Committee

Item **Bishops Waltham** **Ward** **Bishops Waltham**

4 Conservation

Area:

Case No: 08/02794/FUL

Ref No: W21313

Date Valid: 8 December 2008

Grid Ref: 456227 117384

Team: WEST **Case Officer:** Mr James Jenkison

Applicant: Mapledean Developments Ltd

Proposal: Erection of 3 no. two bed, 4 no. three bed, and 1 no. four bed dwellings with access, landscaping and associated works following the demolition of 11 & 12 Hoe Road

Location: 11 Hoe Road Bishops Waltham Southampton Hampshire SO32 1DU

Officer PER

Recommendation:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

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

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

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

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

3. 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:

- hard surfacing materials:

- other vehicle and pedestrian access and circulation areas:

- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- car parking layout:
- means of enclosure, including any retaining structures:
- existing and proposed finished levels or contours:

Soft landscape details shall include the following as relevant:

- planting plans;
- implementation programme;
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- written specifications (including cultivation and other operations associated with plant and grass establishment.

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

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

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

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

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

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

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

7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings hereby approved are occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

8 The plans and particulars submitted in accordance with condition(s) 3 and 7 shall include details of the size, species and positions or density of all trees to be planted, and the proposed time of planting.

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

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

Reason: In the interests of highway safety.

10 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.

11 The building(s) shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: To ensure satisfactory road access is provided.

12 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 12 metres from the highway boundary.

Reason: In the interests of highway safety.

13 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

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

Reason: To ensure that adequate on-site parking and turning facilities are made available.

15 The windows at 1st floor level in the elevations the dwellings on the plots of the approved plans listed below (excluding the clear glazed aspects of the oriel windows of the dwellings on plots 1-4, as shown on the approved plans) and hereby permitted shall be glazed in obscure glass and fixed shut to a height of 1.7 metres above 1st floor level and thereafter retained.

- (i) east elevations of the dwellings on plots 1 to 5 (facing over the back garden of Uplands).
- (ii) the bathroom window of the dwelling on plot 7.

The obscure glazing shall have an obscurity rating of no less than level 4 from the Pilkington glass range (or an equivalent range and rating subject to prior agreement with the Local Planning Authority) and thereafter retained unless the Planning Authority gives prior written consent to any variation.

Reason: To protect the amenity and privacy of the adjoining residential properties.

16 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, and no enlargement of the windows expressly authorised by this permission shall, at any time, be constructed above ground floor level in all elevations (including roofslopes) of all of the dwellings hereby approved excluding:

(i) the rear south facing elevations of plots 5-7.

Reason: To protect the amenity and privacy of the adjoining residential properties.

17 The dwellings shall be constructed in accordance with the approved plans and at no stage thereafter shall any of the dwellings hereby approved be combined to form a larger dwelling unit.

Reason: To ensure that a mix of small and larger dwellings is retained in accordance with Policy H7.

18 Details of the floor slab levels and existing and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the site. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of the locality and neighbouring residents.

19 None of the dwellings of the development hereby approved shall be occupied until a system for the disposal of sewage and surface water (including methods for the retention/management of greywater and stormwater within the site, such as water butts) has been provided on the site in accordance with details (including layout plans, sections, calculations and identification of management responsibilities post implementation) to be first submitted to and approved in writing by the Local Planning Authority.

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

20 Details of the cycle parking as shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the site. The cycle parking shall be provided in accordance with the approved details prior to the occupation of the dwellings on the site.

Reason: To ensure the provision of cycle parking and to promote sustainable forms of transport.

21 No development shall commence before a bat survey and report of the existing building, and including mitigation measures necessary to compensate for any impact upon protected species, have been submitted to and approved in writing by the local planning authority. The existing buildings on the site shall not be demolished until such time as mitigation measures have been implemented and in accordance with the approved details.

Note: If bats are found within the building then a license may be required from Natural England before any works proceed on the site.

Reason: In the interests of nature conservation

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:-

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP9, H3, H5, H7, RT4, T3, T4, T5

3. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water's Network development Team (Wastewater) based in Otterbourne, Hampshire or www.southernwater.co.uk.

4. 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 recognised public 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.

5. 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.

Should you require further information please contact the Environmental Protection Officer on 01962 848479.

6. All precautions must be taken to avoid discharges and spills to the ground, both during and after construction.

For advice on pollution prevention measures, the applicant should refer to Environment Agency guidance PPG1 - General Guide to prevention of pollution'.

Item **Hursley** **Ward** **Compton And Otterbourne**

5 Conservation

Area:

Case No: 08/02091/FUL

Ref No: W02909/09

Date Valid: 1 October 2008

Grid Ref: 441721 127986

Team: WEST **Case Officer:** Elaine Walters

Applicant: Mr G Rees

Proposal: 2 no.semi detached three bedroom dwellings for agricultural workers

Location: South Lynch Dairy Farley Mount Road Hursley Hampshire

Officer REF

Recommendation:

Committee Decision:

Planning Permission be granted subject to: 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 of £4,044) paid 21/01/2009
2. HCC Transport contribution of £7,490) " "

Conditions/Reasons

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

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

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

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

3 Detailed proposals for the disposal of foul and surface water drainage 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 dwellings hereby permitted are first occupied.

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

4 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

5 The occupation of the (dwellings hereby permitted) shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry or a widow or widower of such a person, and to any resident dependants.

Reason: The site is in an area where new dwellings are not normally permitted except where there is an overriding need in the interests of agriculture or forestry.

6 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment 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. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

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

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
Winchester District Local Plan Review: CE.20, DP3, DP10, RT4, T2

Item **Hursley** **Ward** **Compton And Otterbourne**

6 Conservation

Area:

Case No: 08/02093/FUL

Ref No: W17755/01

Date Valid: 1 October 2008

Grid Ref: 443051 128553

Team: WEST

Case Officer: Elaine Walters

Applicant: Mr G Rees

Proposal: 2 no. semi detached three bedroom dwellings for agricultural workers

Location: Pitt Down Farm Farley Mount Road Hursley Hampshire

Officer REF

Recommendation:

Committee Decision:

Planning Permission be granted subject to: 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 of £4,044) paid 21/01/2009
2. HCC Transport contribution of £7,490) paid 21/01/2009

Conditions/Reasons

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

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

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

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

3 Detailed proposals for the disposal of foul and surface water drainage 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 dwellings hereby permitted are first occupied.

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

4 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

5 The occupation of the (dwellings hereby permitted) shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry or a widow or widower of such a person, and to any resident dependants.

Reason: The site is in an area where new dwellings are not normally permitted except where there is an overriding need in the interests of agriculture or forestry.

6 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment 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. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

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

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
Winchester District Local Plan Review: CE.20, DP3, DP10, RT4, T2

Whiteley

Ward

Whiteley

7 Conservation

Area:

Case No: 08/02494/FUL

Ref No: W00818/70

Date Valid: 26 November 2008

Grid Ref: 453172 109929

Team: WEST

Case Officer: Miss Megan Birkett

Applicant: Tesco Plc

Proposal: Proposed 1 no. 10.6m high micro wind turbine and associated works for a period of 15 years

Location: Tesco Catering Tesco Stores Ltd Whiteley Way Whiteley Hampshire

Officer PER

Recommendation:

Committee Decision:

REFUSED SUBJECT TO THE FOLLOWING REASON:-

Conditions/Reasons

1 The proposed wind turbine is contrary to policy DP3 and DP15 of the Winchester District Local Plan Review in that it would, by reason of its design and location, constitute an unduly prominent and intrusive form of development detrimental to the neighbouring properties at Arbour Court and the character and appearance of the surrounding area.

Informatives

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

Winchester District Local Plan Review 2006: DP3, DP15
