

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Winchester
City Council
Planning
Department
Development
Control**

Committee Decision

**TEAM MANAGER
SIGN OFF SHEET**

Case No:	08/02347/OUT	Valid Date	8 October 2008
W No:	20754/01	Recommendation Date	6 April 2009
Case Officer:	Mr Dave Dimon	8 Week Date	7 January 2009
		Committee date	23 April 2009
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	(AMENDED DESCRIPTION) Demolition of existing dwellings at Tudor Way and 130/132 Springvale Road and residential redevelopment to provide 62 dwellings, access roads, associated parking, garaging, play area, open space and landscaping (OUTLINE) (RESUBMISSION)
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Site:	Land At Tudor Way Inc Land At 130-132 Springvale Road And Rear Of 136-140 Springvale Road Springvale Road Kings Worthy Hampshire
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Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
YES	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N

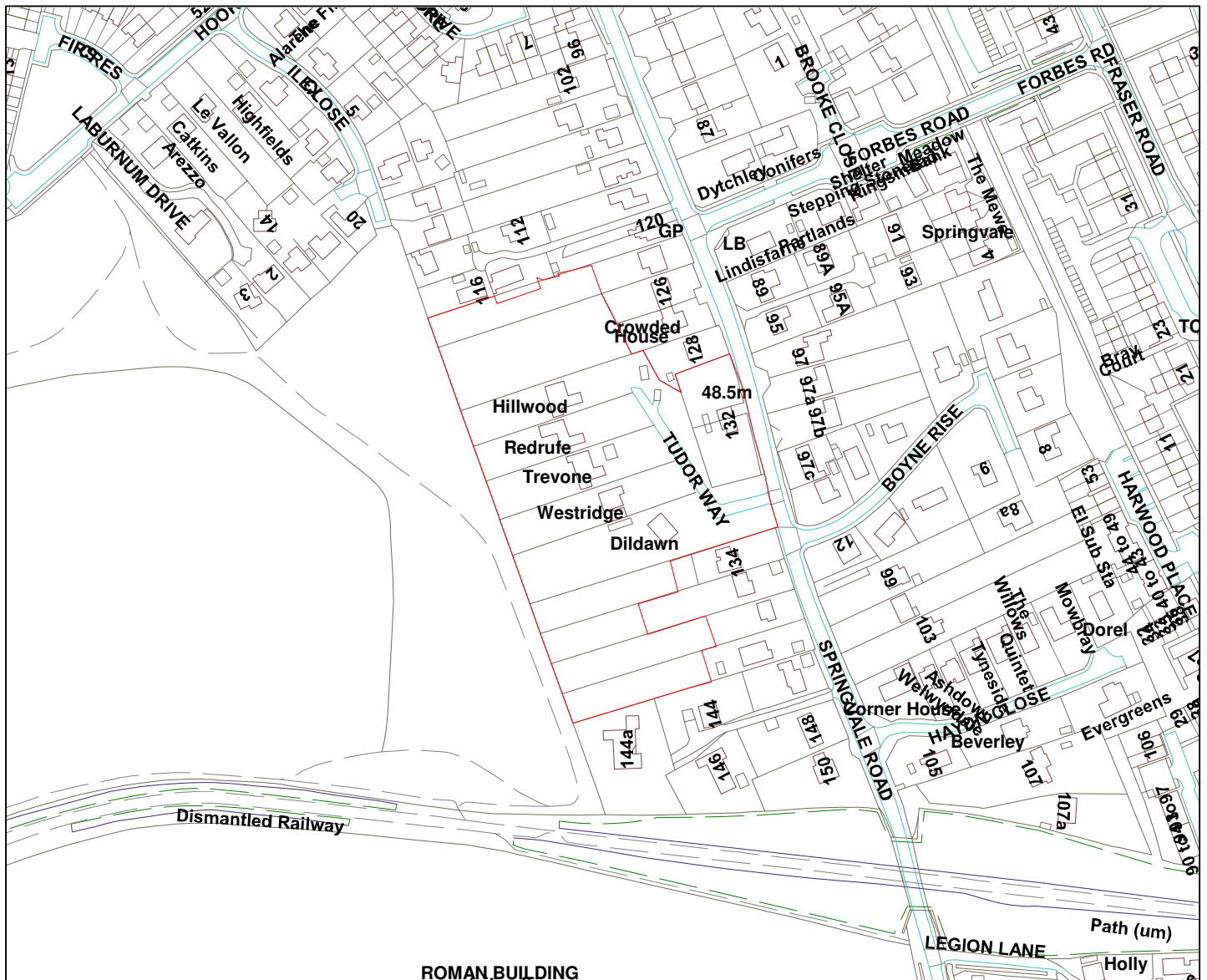
DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed		
	Signature	Date
CASE OFFICER		

Land at Tudor Way

08/02347/OUT



Winchester
City Council



Legend

Scale: 1:3000



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	08 April 2009
SLA Number	00018301

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Item No: 2
Case No: 08/02347/OUT / W20754/01
Proposal Description: (Amended description) Demolition of existing dwellings at Tudor Way and 130/132 Springvale Road and residential redevelopment to provide 62 dwellings, access roads, associated parking, garaging, play area, open space and landscaping (Outline) (Resubmission)
Address: Land At Tudor Way Inc Land At 130-132 Springvale Road And Rear Of 136-140 Springvale Road Kings Worthy Hampshire
Parish/Ward: Kings Worthy
Applicants Name: Gleeson Developments LTD
Case Officer: Mr Dave Dimon
Date Valid: 8 October 2008
Site Factors: Tree Preservation Order

Recommendation: Application Permitted

General Comments

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

This application is a revised proposal for a scheme of 62 dwellings. It follows the refusal under delegated powers on 1st October 2007 of a previous scheme for 74 dwellings and it's subsequent dismissal at appeal on 18th June 2008.

Site Description

The application site, which extends to 1.93 hectares, is situated on the western side of Springvale Road opposite Boyne Rise and includes Nos. 130-132 Springvale Road, the properties to the west in Tudor Way (5 properties - predominantly bungalows), and land to the rear of Nos. 134-140 (including some garden land of some of these properties) and also land to the rear of Nos. 124-128 Springvale Road.

On the western side of Springvale Road, the land rises and there is a variety of different property styles which appear to have grown organically over the years. The two dwellings to be replaced have some character, being semi-detached, brick and flint construction and are also set close to the road with large side gardens and spaces between neighbouring properties.

Immediately opposite the site there is a predominance of bungalows, set back a little from the road. The land starts to rise to the east towards Fraser Road (accessed from Forbes Road), and from opposite the site in Boyne Rise good views across to the site can be gained to the rising land to the west. It is from this view, and also from the disused railway line (as well as from within the site), that the character of Springvale Road and the surrounding area is perceived as one of significant landscaping and greenery, with residential properties dotted around within the mature landscaping. When viewed in this way, the existing single storey properties in Tudor Way are not readily visible. The main views north and south along Springvale Road offer a semi-rural character with soft landscaping along some of the front boundaries.

To the south of the site the former railway line, now a footpath, is set on top of a high,

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well-vegetated embankment and is carried over Springvale Road by a bridge. There are five properties set in large plots between the application site and the footpath embankment, including 2 bungalows/chalet bungalows that abut the site. The landscaping to No. 144a is effective in screening it from the application site, although there is not so much landscaping to the boundary of No.144.

To the north of the site lies further backland development with two properties (Nos. 116 &118) having boundaries tight up to the boundary, although existing boundary screening effectively hides the site.

With the land rising both on the western and eastern sides of Springvale Road, it has the character of a valley in the context of the local topography. From the rear gardens of the application site, there are views across the valley towards Fraser Road. The rear gardens within Springvale Road and Tudor Way rise significantly towards Top Field to the west. Most of the properties have significant vegetation that separates the more formal garden areas from the wooded and vegetated area that occurs beyond the site boundary.

The properties in Tudor Way are predominantly bungalows located in the middle of their plots with sizeable driveways up to the properties. There is some landscaping at the front of these properties and to the immediate east of the access road, screening views from properties in Springvale Road.

Proposal

The proposal is only in outline form for 62 dwellings and does not seek approval for any of the details other than the means of access. It is, however, supported by an indicative layout plan, which illustrates how dwellings, roads, footpaths, open space, parking spaces, landscaping, and garages etc. could be arranged to achieve the amount of development proposed. Proposed site sections and an indicative landscape strategy are also provided to assist the consideration of this outline application.

Relevant Planning History

07/01776/OUT - W20754 Demolition of existing dwellings at Tudor Way and 130/132 Springvale Road and residential redevelopment to provide 74 dwellings, access roads, cycleway and footpaths, associated parking, garaging, play area, open space and landscaping (Outline), Land At Tudor Way, Inc Land at 124 -140 Springvale Road, Kings Worthy – Refused 01/10/2007 – Appeal dismissed – 18/06/2008.

Consultations

Engineers: Drainage:

Southern Water should be consulted on this application to ensure that the existing foul water infrastructure has the capacity to accept the flow that this development will generate. The applicant proposes to abandon an existing public foul water sewer and provide a new foul water system to be adopted under a Section 104 Agreement (Water Industry Act 1991).

The site is within Flood Zone 1 and, as it exceeds 1ha. in area, requires a Flood Risk Assessment, which the applicant has supplied. Although it appears to be a desktop study, it proposes sustainable drainage to dispose of surface water, which can be achieved using soakage methods. The only comment is that the possibility of flooding from development

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water flowing from the hills behind has not been considered. Should outline consent be given, a drainage strategy for the site must be submitted to the Local Planning Authority for approval at the details in compliance stage.

Although there has been flooding in Springvale Road in past years caused by high groundwater levels, with a properly installed drainage system (soakaways, permeable paving, water butts etc.), this development should not exacerbate this problem.

Although this is a major development close to an area that is liable to flood, it would be difficult to uphold an objection on drainage grounds if a properly designed sustainable drainage system is installed.

Engineers: Highways:

HCC should be consulted with regard to the Transport Contributions Policy, visibility splay requirements onto Springvale Road and any further off-site improvement works that may be required.

In terms of internal highway design matters the following comments are given.-

- Adoption of highway infrastructure – The supporting Transport Statement by Denis Wilson Group clarifies that the proposed estate road highway infrastructure will not be offered for adoption to the Highway Authority, but will be built to adoptable standards.
- The proposed layout can accommodate the typical swept path details of a 9.595m long refuse freighter and an 11m. long pantech-nicon-sized vehicle (details of which are shown on the accompanying plans (drawing. Nos. 3P6239/TR/06 to 09). The indicative layout plan shows a more sinuous layout for the main carriageway than the previously submitted plan and it will take the form of a shared surface road with a main footpath (running east-west) to link the Top Field with Springvale Road.
- Car parking provision of 93 parking spaces is proposed for the 62 no. dwellings, which equates to a ratio of 1.5 spaces per unit. Having closely examined the proposed car parking provision the following amendments are considered desirable: Plot nos. 1 to 4 require three car parking spaces per unit, together with sufficient area to allow each vehicle to turn within the site and enter the adjoining public highway in a forward gear. Three additional car parking spaces are required to serve plots nos. 39 to 45.

The proposed garages should be replaced by car ports to ensure that these spaces are used for car parking purposes and not for domestic storage. Research has demonstrated that garages are used for many purposes other than parking of cars and less than a third of all garages are used to park a car. If garages are to be incorporated within the design of a residential development then the number of garages will not normally be counted towards the overall parking requirement of the site. Therefore, should the applicant wish the garage provision to remain, one additional car parking space for each of the units with garages must be provided.

Overall car parking provision complies with the emerging standards only if plot nos. 1 to 12 and no. 19 have "allocated" car parking. It is vital that the remaining spaces are designated as "unallocated", i.e. shared/communal parking. A suitably worded condition will need to be applied to any planning consent to ensure that this requirement is maintained in perpetuity. If this is unacceptable to the applicant, the total number of car parking spaces provided will have to be amended in line with the recommendations of WCC Draft Supplementary Planning Document for residential parking standards.

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- The primary access points for the two S blocks (i.e. nos. 13 to 18 and 33 to 38) are located away from the car parking areas intended to serve these blocks. This is likely to encourage parking on the main infrastructure road, particularly for plots nos. 13 to 18, which is likely to interfere with the free flow of traffic in these areas.
- No details of how cycle parking is to be provided have been given and therefore the applicant should be requested to provide these details. Where it is intended to use communal cycle parking facilities for blocks of flats, these should consist of individual lockers/cages etc. within a secure building, located close to the prime point of access, which is well overlooked and has good lighting.

Further to receipt of an amended plan (drawing 26225(02)001 Rev A), the layout has been amended to overcome some of the above concerns.

The amount of car parking provision has been increased from 93 spaces to 109 spaces, which increases the car-parking ratio per dwelling from 1.5 to 1.75 spaces per unit, which is considered acceptable in this instance.

The car parking arrangements for plots nos. 3 and 4 have been revised and are now acceptable. Although three spaces per dwelling are proposed for plots nos. 1 and 2, the amount of space available to allow for on-site turning is very limited and may lead to vehicles occasionally reversing into or out of the site. However, it would be extremely difficult to sustain a highway reason for refusal at appeal on this issue alone.

Details of the primary access points for the two S3 blocks are now shown and these connect to the proposed car parking areas associated with these blocks.

No details of the proposed cycle parking provisions have been submitted and therefore the previously raised concerns remain but, subject to the receipt of acceptable further cycle parking details, the previously stated highway grounds for refusal are now overcome.

Environmental Health

No objection, subject to standard informatives with regard to hours of construction works and no burning of materials on site (Informatives 2 and 3).

Strategic Planning:

Development Plan = RPG9, HCSPR (2000) and WDLPR (2006)

RPG9 - A number of policies in the Quality of Life Chapter are of general relevance, but the most directly relevant policies are:

Q6 – provision for infrastructure requirements

H2 – provision of 6,030 dwellings per annum in Hampshire;

H5 – making full use of opportunities for housing in urban areas, with at least 60% on previously developed land.

HCSPR - 24 Structure Plan policies have been 'saved' with effect from Sept 2007.

Policies H1 and H2 requiring a specific level of housing provision in the District are saved, along with policies relating to landscape (E.7), archaeology (E14), and built heritage (E16 & 17).

WDLPR - The site is within the defined built-up area of Kings Worthy (H.3) so the principle of development/redevelopment is acceptable.

Policy H.7 seeks efficient use of sites and Policy H.5 seeks the provision of affordable housing.

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A number of other policies are relevant as well, such as DP.3 (design) and RT.2 (open space provision). The site adjoins land (to the west) allocated for recreational use (Policy RT.5) and the eastern part of the site may be affected by an area liable to flooding, which follows Springvale Road (Policy DP.8).

KINGS WORTHY VILLAGE DESIGN STATEMENT (SPD) - The Kings Worthy VDS was adopted as a Supplementary Planning Document (SPD) in 2007. It contains various Design Guidelines of relevance and identifies important local features that should be protected and suggests several Additional goals as well. One of the additional goals promotes open space provision at the Top Field, adjacent to this site (G1) and links to Design Guideline D4. Design Guidelines D6, D9, D11-D15, D19, and D20-D22 are also relevant.

Assessment

The principle of development/redevelopment of the site is acceptable as the site is within the H.3 settlement boundary. An earlier scheme was refused, and an appeal dismissed, due to the unsympathetic character of the development proposed. This scheme proposes a reduced number of units, with an average density of 32 dwellings per hectare. In terms of density and dwelling mix, the proposal meets the requirements of WDLPR Policy H.7. Matters of design/layout/character will be addressed by other consultees.

Nineteen affordable housing units are proposed, which meets the requirements of Policy H.5 in numerical terms, for 30% affordable housing. A flood risk assessment has been undertaken in relation to Policy D.8. The relevant specialist consultees will, no doubt, comment further on the adequacy of these matters.

The Planning Statement suggests that open space for children's play and sports provision is proposed within the Top Field. This would need to be secured by a S106 Agreement or other binding arrangement, although the Top Field is not currently shown within the application site or the applicant's control. Any open space provision for this site in the Top Field should be well-related to it and should make a major contribution to bringing forward all of the RT.5 allocated land at the Top Field.

Conclusion

The proposal is acceptable in principle as it falls within the H.3 policy boundary. Affordable housing is proposed at the rate of 30% of the units and this would need to be secured by way of a S106 Agreement. There is mention of open space being provided in the Top Field and this would be welcomed if it is well-related and linked to the proposed development and would help to bring the land allocated by RT.5 into open space use. However, as the applicant does not appear to control the land, further information is needed on this issue and any consent should be subject to this provision being achieved.

Other planning considerations such as design, access, landscape, etc also need to be taken into account and will be subject to advice from the relevant specialists.

Archaeology

An archaeological desk-based assessment and geophysical survey have been carried out in relation to an earlier application at this site (ref: 07/01776/OUT), copies of which have been submitted in respect of this new application (Southern Archaeological Services, Archaeological Desk-Based Assessment of Land at Springvale Road / Tudor Way, Kings Worthy, Hampshire & Stratascan, Oct 2007, Geophysical Survey Report: Tudor Way, Springvale, Kings Worthy. Report. No. J2402).

Following completion of the desk-based assessment and the geophysical survey, it is not considered that nationally important archaeological remains are present within the site.

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However, a programme of archaeological mitigation works will be required in the event that outline planning consent (and any subsequent reserved matters consent) is granted.

Therefore in accordance with the principles of PPG16 and Policy HE.1 of the Winchester District Local Plan Review it is recommended that planning consent should only be granted subject to an A010 condition for a programme of archaeological recording in mitigation of development (Condition 3).

Furthermore, the application documents refer to a LEAP to be located to the north of the proposed development site; should the establishment of a LEAP in this location involve any groundworks, then these may have archaeological implications. However, since the area is located outside the application red line, it may not be able to be subject to a planning condition.

An informative should therefore be added to any planning consent for this site, advising that the LEAP area may have archaeological implications and that the developer shall discuss this further with the Winchester City Council Archaeologist (Informative 4).

Landscape:

No objection.

In summary, there is now:

- Significantly more proposed tree planting accommodated on the site.
- Sufficient quantities of general recreational open space and amenity green space being provided.
- Provision for children's play space and adult sports space being made at Top Field.
- Adequate private amenity garden space
- A good green link between Springvale Road and Top Field.
- Better overlooking of public spaces, in accordance with Secure By Design principles.

More planting is indicated throughout the development. This will assist with issues of character, appearance and integration of the development within the context of Springvale. The Willow near the entrance to the site (TPO3), has to be removed for the access, which has to be positioned to achieve adequate sight lines. However, space is provided in this immediate area for replacement planting with semi mature trees.

Elsewhere, almost all TPO trees are being retained in public open spaces, reinforcing the distinctiveness of the development, creating focal points and securing their long term retention and management.

On the western boundary, the existing buffer of trees and shrubs is being retained and strengthened, which has the benefit of enhancing its function as a connective wildlife corridor/habitat, reinforcing the backdrop of vegetation along the more elevated boundary of the site when viewed from the east, reinforcing the contained nature of the valley, strengthening the definition between the settlement and the countryside beyond and reducing views from Top Field to development that is already apparent on the opposite side of the valley.

A significant open space is located through the centre of the site, which allows for further structural planting and the retention of some of the TPO trees within the public realm. It also helps break up the development and help integrate it into the landscape, softening visual impact from the east.

Areas of vegetation along the site's eastern boundary, incorporating TPO Group 1, are retained and reinforced with additional native tree planting. This will be useful again in

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minimising visual impact from the opposite side of the valley.

An area in the south western corner, which incorporates TPO1, has been retained as a landscape buffer. This will be supplemented with additional planting and will therefore contribute to the vegetated backdrop to the site when seen from the east. The buffer will also enhance the screening given to No.144A Springvale Road.

In the north east corner is another area retained as informal open space, which incorporates retained trees (including TPO trees) which will form an important screen in views from adjacent housing.

Trees are provided in private rear gardens, which will further help to perpetuate and reinforce the well-vegetated character of the site.

Public Open Space

It has been agreed with the applicant that, whilst there must still be adequate amenity green space on site and at least 690 sq m of general/informal recreational open space (which there now is), the children's play element (space and facilities) and the adult sport space can be provided on land off-site on Top Field. Thus 3,720 sq m of land must be provided for recreational usage on Top Field. The applicant has indicated that this would be acceptable. This will, however, still leave a large amount of Top Field in private hands and it is the intention for the City Council and Kingsworthy Parish Council to purchase this, to enable the whole of Top Field to enter public ownership and be available for recreation, to serve both Kingsworthy and Headbourne Worthy.

Trees

TPO 1916 was served on the site, protecting the key trees in anticipation of development. Four of the TPO trees are to be removed, two on account of their poor condition and two in order to facilitate the development. The loss of the latter two trees, a Pine and a Spruce, will not have a significant impact on the wider landscape and their loss is acceptable. It looks as though it is proposed to remove much of the smaller vegetation, but this will have little impact on the wider landscape, especially as the buffer of trees to the west of the site has been retained. A Willow will be lost adjacent to the access, but it is accepted that this tree is not suitable for long-term retention.

There are two main concerns (1 & 2), which need to be addressed prior to determination of this application. The other issues (3, 4 & 5, outlined below) are of equal importance, but may be considered at the reserved matters stage.

1. Level Changes:

The first is that the redevelopment of the site could require major level changes. The cross sectional plans included in the design and access statement show some levelling in the vicinity of retained trees. This could have implications including root severance, loss of soil volume and water availability. The proposed level changes need to be clarified and discussed by an arboriculturist prior to any approval to ensure that they will not damage retained trees.

2. Access:

It is noted that the road, which runs in very close proximity to retained trees, has little space for a pedestrian pavement. The applicant will need to demonstrate that the pavement will not be required, or otherwise assess the arboricultural implications of the pavement.

3. Existing trees:

A survey of all retained vegetation should be submitted, along with a tree protection plan

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detailing above and below ground constraints.

4. New planting:

The plan contains a number of trees, which would appear to provide an important element in the design of the scheme. In order to ensure the successful establishment of the trees and whether or not they can actually be incorporated within the overall scheme (rather than being deleted at a future stage due to highway adoption issues) consideration needs to be given to the species used, the pits in which they will be planted, any nearby underground parking and service runs. Adequate provision will need to be made for all of these.

5. Services:

Paragraph 5.5 of the report requires that services are positioned out of the root protection areas. In order to demonstrate that this is possible, and to avoid conflict further down the line, the applicant should submit an indicative plan showing the locations of all services including drainage runs and soakaways.

Strategic Housing:

It is noted that the applicant has yet to initiate discussions with a Registered Social Landlord (RSL) and it is suggested that they engage with one of Winchester City Council's preferred partners.

Policy H.5 of the WDLPR requires that, in developments of 15 or more, 30% of the dwellings should be affordable. The affordable element of the scheme therefore equates to 18.6 units. The applicant has proposed 19 units and this is acceptable.

The proposed 19 units of affordable housing has been suggested to comprise:

8No. x one bedroom flats; 2No. x two bedroom flats; 8No. x three bedroom houses; 1No. x four bedroom house, which provides an acceptable mix.

This mix has only altered slightly from the previous application, by taking away one of the three bedroom houses.

With regard to the type of housing for each tenure, the applicant has had regard to that recommended by Strategic Housing in response to the preceding application for this site, which is:-

Social rent: 2No. x one bedroom flats; 8No. x three bedroom houses; 1No. x four bedroom house

Shared Ownership: 6No. x one bedroom flats; 2No. x two bedroom houses

The supporting indicative drawing to this outline application (ref:(02) 004) also suggests that the affordable units are 'pepper potted' throughout the site and that they will be built to Code 3 Sustainable Homes and Lifetime Homes, which is welcomed.

Urban Design

There is now more green space between buildings and other spaces around the perimeter of the site, which will allow for sufficient replacement planting

There is a good green link up through the site from east to west. The text and plans say that it will connect to a play space in Top Field. However, this will be dependent on the Hookpit Farm Lane social housing site coming forward.

This is an outline application and approval is only being sought for access with all other matters reserved. Little information is given on heights, just two sections (A-A and B-B) and a plan showing storey heights.

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The indicative floor plans show a number of buildings with deep floor plans. This plan form is difficult to accommodate on a sloping site and can result in:

- large excavations with retaining walls on the up-side and large expanses of brickwork (below dpc) on the down-side (NB: it is possible not to do this, but this would involve split level housing and this is not indicated on the sections or on the roof plans, other than plot 12)
- tall and wide gable ends facing the public realm and in some instances visible from across the valley. (plots 5, 7, 10, 22, 28, 29, 40, 45, 50 and 52)

Also, deep plan houses will lead to either very large roofs (if clay plains are used, which is traditional in Hampshire) or shallow roof pitches with interlocking concrete tiles, which would be unacceptable.

It is important that we are confident that 62 dwellings can be accommodated on the site without the negative effects of deep plan houses. Will 62 narrow floor plan houses (of the proposed sizes) fit satisfactorily on the site and be in context? (N.B: many of the surrounding deep floor plan dwellings are single storey and/or low eaves and have little visual impact from the public realm).

A better approach would be to use narrow floor plan housing arranged and 'turned' to fit the contours of this sloping site and the proposed 'organic' site layout.

The four identical house types in a row along Springvale Road (plots 1 - 4) is also a concern. The character of development along Springvale Road is diverse and these will appear incongruous. Also plots 2 and 3 are too close. Semis (of a different design) would work better.

Much of the parking is grouped together (particularly at the top of the site) and will be very much in public view. It is disappointing that an attempt has not been made to integrate the parking with the housing. A three pronged approach would work better...some off street parking (with dwellings)...some on street parking (parallel).....some small parking courts hidden from the public realm but overlooked by dwellings.

Environment Agency

Initial objection, due to the Flood Risk Assessment (FRA) submitted in support of the application failing to consider the risks of groundwater flooding, has been addressed by the submission of a revised FRA. The Environment Agency now has no objection, subject to the flood risk mitigation measures detailed in the revised FRA (ref: 9T3997/r0001/303609/Pet) being implemented and secured by way of a condition (Condition 9).

Southern Water

Initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. Requests that, should the application be approved, an informative be attached to the consent.

Application makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). SUDS systems usually have a significant land take and it is not clear how the SUDS facilities can be accommodated within the proposed layout. Before the proposed layout is approved, Southern Water advises that the applicant/developer gives consideration to ensuring that the proposed means of surface water drainage can be accommodated within the proposed layout.

Under current legislation and guidance, SUDS rely upon facilities that are not adoptable by

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sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should specify the responsibilities of each party for the implementation of the SUDS scheme, specify a timetable for implementation, and provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer and, should approval be given, suggests an informative is attached to any consent (Informative 7).

HCC Environment Surveyors

The proposed site access for this development is unchanged from the previous application and the visibility splays of 2.4m x 83m (north) and 120m (south) as displayed on drawing 9T3997-01A remain acceptable. Pedestrian improvements to Springvale Road, including a footway to the north of the site access along the frontage of the site in addition to an informal crossing facility, have been agreed previously and remain necessary to serve the development. It has also been agreed that land to the south of the proposed access up to the site boundary will be made available to the County Council for further construction of a footway, should the land become available.

In order to mitigate the impact of the development, it will also be appropriate for the Applicant to make a financial contribution to Hampshire County Council in line with the County's adopted Transport Contributions Policy. For this application, this is calculated at £200,097.00, and this sum must be secured within a Section 106 Agreement with Hampshire County Council.

Subject to the applicant entering into a Section 278 agreement to secure the footpath improvements and a Section 106 Agreement for Transport Contributions, the highway objections to the proposal will be overcome.

HCC Education:

Initial request for contributions through the 2008 School Places Plan, due to a forecast of places at Kings Worthy Primary School being exceeded by demand, has been withdrawn upon further consideration. This takes into account recent building at the school, the fact that no further works are planned and that the school presently takes in pupils out of its catchment area.

HCC Ecology:

Following further clarification, previous concerns have been addressed with regard to the adequacy of surveys and no objection is raised, subject to clarification that recreation facilities are away from the mitigation area on Top field and conditions to secure fencing of the mitigation area, a Construction Environmental Management Plan, Detailed Planting Plans and a scheme of lighting to minimise impact on the ecology.

Natural England

Advises that the proposal is unlikely to damage the features of interest of the River Itchen

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SSSI. In terms of protected species considerations, the supporting ecological information for the application indicates that bats are likely to be using habitats that will be affected by the proposal, although the proposed mitigation would be sufficient to compensate for potential negative impacts on their populations. A condition should therefore be included to ensure that such mitigation is implemented (Condition 10).

The report indicates a similar likelihood of dormice habitat disturbance by the proposal and suggests sufficient mitigation measures to compensate for any potential negative impacts on their population. Again, a condition is recommended to ensure implementation of mitigation measures (Condition 10).

Similarly, the report indicates a likely presence of reptiles and the need for suitable mitigation. This should be secured by the imposition of a condition (Condition 11).

The supporting information to the application indicates that site surveys did not find evidence of the presence of Great Crested Newts but, if any evidence does emerge, any works that may affect their habitat should cease immediately and Natural England be informed.

To reduce the likelihood of harm to breeding birds, clearance of trees and areas of scrub should avoid the bird breeding season (March - August inclusive).

As mentioned in section 6.3 of the Mitigation Strategy, a management plan will be necessary to maintain habitat for protected species, both on-site and on any translocation receptor site. Before any ground works begin or full planning permission is given, a management plan should be submitted by the applicants to the satisfaction of the Authority. The management plan should at least be sufficient to maintain or enhance populations of protected species, and preferably the wider biodiversity value of the site (for example, amphibian and bird populations). Once a suitable management plan has been agreed upon, its implementation should be secured by a Section 106 Agreement.

Aspects of ecological design should be incorporated into the proposals wherever possible as a general principle, and could include the retention/creation of wildlife corridors, installation of green/brown roofs, the use of a Sustainable Urban Drainage System (SUDS), native planting, wildlife ponds, nest boxes, bat boxes and access points.

We are pleased to see that mitigation proposals have been included for amphibian species (common frog, common toad and smooth newt), including the creation of alternative pond habitat and the safe removal of animals before works begin. We hope the Authority will seek to ensure that these plans are fully developed and implemented, in keeping with your duty to conserve biodiversity under S40 of the Natural Environment and Rural Communities Act (NERC) 2006.

Crime Prevention Officer:

Perimeter boundary treatments, including fences, walls and planting, should be of a nature to prevent criminals from entering the site, other than by the main access. The pedestrian /cycle way through the development increases the opportunity for crime. The entrance should be defined by a change in colour texture, to reinforce the perception of passing into a private area. Parking bays should be overlooked from habitable rooms and be lit to BS5489 standard. Low-level bollard type lighting should not be used, as it is ineffective and vulnerable to vandalism. Garages and parking bays between end walls of properties

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should be positioned to be easily viewable by residents, with windows sited to enable this. Cycle stores to be provided to SBD standards. Bin stores to be secure to prevent bins being removed for criminal use. Cycleway should be 3 metres wide with 2 metre verges. Private gardens abutting public areas should be secured by 1.8metre fences with lockable full height gates close to front of property. All ground floor doors and windows of properties to meet SBD standards and entry systems should be considered for blocks of 4 or more flats.

Representations:

Kings Worthy Parish Council:

Acknowledges that the previous appeal established that the local road network was adequate to cater for the development and pleased that this scheme reduces the number of units, but remains concerned about the visibility splays being adequately achievable within the land available to applicants.

Accepts that the reduced numbers help address previous concerns but remains concerned about the suitability of the indicative house designs. Considers parking provision to be inadequate and will result in unsafe parking on the access road, therefore objects to inadequate parking provision.

Development, if permitted, should be limited to 62 dwellings.

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

Density, design, and layout:

- Design and appearance will transform the area having an unrecoverable impact on the current built and natural environment. Proposal does not meet Local Plan policies, Village Design Statement or previous appeal requirements.
- Proposal will change nature of area making it more suburban. 2.5 storey houses towards top of site is questioned.
- Density far greater than surrounding properties. Impact of development will have a devastating effect.
- Excessive density still doesn't overcome Inspector's concerns with regard to previous scheme.
- Open space area to rear of No.134 Springvale Road contrived and will present problems of safety / security and should be deleted - should be deleted.
- Density of site still very high and will be difficult to accommodate without undue impact on amenity of adjacent properties.
- Dwellings on Springvale Road very close to No.128, which will suffer loss of light in rooms that face the boundary.
- Loss of 2 flint cottages is wrong,
- Object to 2.5 storey high dwellings.
- No footpath exists along west side of Springvale Road.

Impact on enjoyment of neighbouring properties.

- Plans don't show extension to No.126A. S3 and 13-18 will, because of the rising topography, overlook our back gardens. Only single storey dwellings should be allowed here. No windows should face our property and boundary screening should be required. Road location too close and will adversely affect our properties.
- Block S2 has little if any screening, and the sections don't include the 2.5 storey buildings.
- Bungalows to rear of Nos.120/122 Springvale Road will be overlooked.

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Highways Issues

- Highways concerns re visibility, junction spacing, traffic, inadequate parking.
- Highway standards accepted by HCC are inadequate for the circumstances pertaining to Springvale Road. Junction arrangement will remove a TPO'd tree (T3 Willow). Only the access is to be adopted by the Highway Authority. What improvements will the highways contribution be used for? These should be clarified and debated as part of application process.
- Will exacerbate traffic congestion and dangers in Springvale Road, especially turning traffic with Boyne Rise opposite. Lighting is poor, adding to danger. Already parking problems in Boyne Rise. Pedestrian movement risks; inadequate lighting:
- Number, design and layout of dwellings will have adverse impact on highway safety and traffic.
- Visibility splay to north appears short and there is no secondary emergency access to serve the site.
- Need crossing points and speed restriction to 30mph.
- The additional traffic created at what would become a major conflicting junction would create a serious highway safety problem.

Landscaping and ecology

- Loss of existing amenity space for walking and exercising.
- Detrimental to existing trees and wildlife.
- Many residents of the eastern side of Springvale Road look out to the existing mostly wooded appearance, the protected trees to be retained are only a fraction of the number, most of which will be lost and new planting will take many years to have any impact.
- Loss of trees will have impact on existing character, most properties currently being screened by trees, loss of important views and destruction of hedgerows.
- Top field supports diverse wildlife and is a quiet unspoiled area, which this will increase threat of being targeted for further development.

Flooding

- Risk of flooding from run off as area has history of flooding and drains can't cope.
- Main drainage/sewer pipes will not be able to cope with the added demand.

Other Issues

- Pressure on other services especially schools, impact on existing utilities and services - insufficient infrastructure to cope with new development.
- Utilities won't be able to cope, electricity and drainage already inadequate.
- Length of time development will take causing unacceptable nuisance.

No letters of support received.

Relevant Planning Policy

Hampshire County Structure Plan Review (Saved Policies):

T5, E14

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, DP6, DP8, DP10, CE5, CE10, HE1, HE2, H3, H5, H7, RT4, RT5, RT6, RT8, T1, T2, T3, T4, T5, T6

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

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- PPS 3 Housing
- PPS 9 Biodiversity and Geological Conservation
- PPS12 Local Development Framework
- PPG 13 Transport
- PPG 16 Archaeology and Planning
- PPG 17 Planning for Open Space, Sport and Recreation
- PPS 25 Development and Flood Risk

Supplementary Planning Guidance

Winchester District Landscape Character Assessment
Kings Worthy and Abbots Worthy Village Design Statement

Other Planning Guidance

Guide to the Open Space Funding System
Hampshire Biodiversity Action Plan
Housing Monitoring Report
Movement, Access, Streets and Spaces
Technical Paper: Open Space Provision and Funding
The Hampshire Landscape: A Strategy for the Future
Winchester District Landscape Assessment
Winchester District Urban Capacity Study
Winchester Housing Needs Survey

Planning Considerations

As this proposal is only for outline planning permission with all matters, other than the means of access, reserved for subsequent approval it is only necessary to be satisfied that the site can be satisfactorily developed for 62 dwellings. The information provided in support of the application is for illustrative purposes only to assist in judging whether the proposal is satisfactory in principle. All details are to be reserved for subsequent approval. It is also relevant to judge the proposal having regard to the comments of the appeal Inspector who determined the appeal against the previous outline application for 74 dwellings. The main issues on which the appeal was dismissed were:

- the effect of the proposal on the character and appearance of the surrounding area; and
- the effect of the proposal on the living conditions of the occupiers of dwellings adjoining the site, with particular reference to privacy and outlook.

Principle of development

The application site falls within the settlement boundary of Kings Worthy, where residential development is, in policy terms, considered acceptable in principle subject to other policy provisions being met, including responding satisfactorily to specific site constraints.

The development meets the requirement of Policy H7 in terms of density (32dph) and also in terms of the provision of smaller dwellings (51% being one or two bed properties not exceeding 75 square metres gross internal floor area, according to the indicative layout scheme). The acceptability of this density is considered in more detail below but, as with the previous appeal scheme, it is how the development fits into its context that is the main issue to be considered.

Although the submitted layout is for illustrative purposes only and only the means of access is subject to detailed consideration, it is noted that the appeal Inspector, in similar

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circumstances regarding the previous appeal scheme, concluded that the illustrative layout drawing should be given 'significant weight'.

She went on to conclude at paragraph 15 of the decision that "*on the first issue the proposal would have a seriously harmful effect on the character and appearance of the surrounding area. It would therefore conflict with policies DP.3 and DP.4 of the Local Plan and the advice in PPS1 and PPS3*". On the second issue of impact on neighbours, she also concluded "*the development would have an unacceptably harmful effect on the living conditions of the occupiers of adjoining properties. It would therefore conflict with policy DP.3 of the Local Plan*".

The current proposal represents a 16.21% reduction in numbers from 74 to 62, and from 37dph to 32dph, but it is how this translates into spatial quality across the scheme that must decide its acceptability and, in particular, whether it satisfactorily addresses the previous objections, which the appeal Inspector fully endorsed.

The following sections examine in more detail how the scheme now addresses the previous objections.

Design/layout

Key features of the site as existing are its semi-rural character, with the limited existing development being inconspicuously set within a well-vegetated hillside and the topographical form that the site takes, rising some 12 metres from the valley floor in Springvale Road to its boundary with Top Field.

The previous scheme did not respond satisfactorily to these constraints and this proposal, in addition to adopting a lower density, seeks to retain more of the existing vegetation and relate buildings more sympathetically to the topography and neighbouring properties, with built form relieved more by spaces between buildings and height reduced to lessen the impact of the development in longer views.

This is evident firstly in the road layout, which takes a more circuitous route towards the northern end of the site, and in the avoidance of terraces that follow the road layout up the hill. Building footprints are set apart in a more organic form to allow views through the site and a feature of the design is the green link, running east-west through the centre of the site, a landscaped area with a footpath that is visible from Springvale Road and connects it with Top Field.

All of the dwellings have been positioned to ensure a high quality living environment will be achieved, with buildings sited to avoid direct overlooking between properties and gardens. The impact of the proposal on surrounding properties has been minimised by siting dwellings sufficiently far away from neighbouring boundaries to avoid direct and perceived overlooking of gardens and dwellings. This also serves to ensure that the development will not appear overbearing or unneighbourly to neighbours. In addition, all buildings have been sited on the indicative layout to ensure overlooking of public spaces in order to provide security surveillance, in accordance with Secured by Design principles

The development is predominantly two-storey but there are two blocks of flats (S2 & S3) that rise to 2½ storeys with dormers in the roof. These occupy prominent positions on steeply rising ground and have quite large footprints.

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Overall, the housing mix comprises:

14 x one-bed flats, 6 x two-bed flats, 11 x two-bed houses, 20 x three-bed houses and 4 x 11 bed houses. Of these, 19 units are to be offered for affordable housing, comprising 2 x one-bed flats, 8 x three-bed houses and 1 x four-bed house for social rent and 6 x one-bed flats and 2 x two-bed houses for shared ownership.

The urban design comments identify concerns with regard to whether deep floor plans can be successfully positioned on what is a steeply sloping site, as such a form can result in large and dominant gables and roof forms and/or large excavations and retaining walls. Without the elevations being available, because the application is only in outline form, it is difficult to know to what extent this may be a problem but, given that all design details will be reserved for subsequent approval, there is scope to negotiate a satisfactory outcome.

Although house type designs are not available, the Design and Access Statement indicates that the designs will be traditional and reflective of local details and materials.

Impact on character of area and neighbouring property

The main impact on the character of the area is in longer views from the rising ground to the east, particularly Boyne Rise. The appeal Inspector found the impact of the previous scheme to be harmful to the semi-rural character that defines the appeal site. The current scheme seeks to address that, both by the more organic arrangement of buildings that are separated by informal gaps and by the strategic positioning of open space and tree planting. This removes the strong horizontal elements of the previous scheme, albeit that some largish buildings remain.

In terms of neighbour impact the properties mainly affected are those fronting Springvale Road and Nos. 116 and 118, which are set on the site's northern side and towards the rear. The previous scheme was found to be particularly unacceptable as regards its impact upon Nos. 128 & 126A Springvale Road. However, the new road alignment has addressed this, with the dwellings moved further away and an enhanced area for landscaping provided between the road and the backs of the existing properties. The impact on Nos. 116 and 144A Springvale Road, which respectively are adjacent to the north and south side boundaries of the site, was unacceptable due to terraces which would have faced over the private gardens of these properties. The current proposal has replaced the terraces with detached and semi-detached houses which are orientated so as not to face the adjoining dwellings. In the case of No. 118 Springvale Road, a house was sited 16 metres away and this has changed to a block of flats 26 metres away, with the road now separating the proposed flats from the existing dwelling.

Landscape/Trees/Open Space

The proposal accommodates all but two of the TPO trees. The site access necessitates removal of the Weeping Willow at the site entrance to Tudor Way and, whilst this tree has amenity value, it has significant structural problems. Its replacement would be provided by 5 semi-mature trees adjacent to the access. The scheme would also provide for the retention and reinforcement of existing vegetation along the site boundaries, the lower eastern side of the site access road and a 5-7m landscape buffer of native trees and shrubs along the boundary with Top Field, to reinforce the backdrop to the site, strengthen the settlement boundary and act as a wildlife corridor. This would also extend along the southern boundary to improve the existing vegetation and provide a screen to the adjacent property No. 144a Springvale Road.

Within the site, areas of open space will allow for significant tree planting that will assist

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in integrating the development into the hillside, reading with the backdrop vegetation at the boundary of the site with Top Field. A fully detailed landscape scheme and landscape and biodiversity management plan would be submitted as part of any reserved matters application.

The proposal includes the offer of a play area being provided at Top Field. This would be secured through a legal agreement.

Highways/Parking/Drainage

The access arrangement was agreed by the Highway Authority in respect of the previous scheme and is unchanged, with visibility splays of 2.4m x 83m to the north and 120 m to the south. In addition, the improvement of the footpath to the north of the site access on Springvale Road and the provision of an informal crossing facility are to be secured through a legal agreement, together with a financial contribution towards transport improvements.

The parking has been revised to show additional spaces to plots 1-4 and plots 45-49, which, together with other additional spaces which have been inserted where possible, has increased the overall provision from 93 to 109 spaces.

With the submission of a revised Flood Risk Assessment, the outstanding objection of the Environment Agency has been overcome, subject to conditions. Southern Water has also advised that the mains foul sewerage capacity is adequate to serve the development. Surface water run off is proposed to be dealt with by means of soakaways and Sustainable Urban Drainage Systems (SUDS) although details of the design and subsequent management are required by condition as part of any detailed proposals.

Other Matters

The Design and Access Statement, with regard to the Council's adopted Statement of Community Involvement, makes reference to consultations with surrounding landowners and those who commented on the last application. It clarifies that their views have been addressed by the reduction in the number of units and density of the scheme, the re-planning of the layout to avoid unneighbourly relationships with adjoining dwellings, and the creation of increased openness and space between dwellings to respond better to the village character. The layout has also had regard to the Kings Worthy Village Design Statement.

With regard to sustainability, the application states that the affordable housing will meet Code Level 3 and that, if possible, this will be improved to apply to the entire development at the reserved matters stage.

Conclusion

The proposed development is acceptable in principle, being a site within the Kings Worthy settlement boundary and proposing housing development that is at a density of 32.12 dph, and provides 30% affordable housing and 51% smaller units in accordance with Policies H3, H5 and H7 of the Local Plan.

The access arrangement and parking provision is acceptable to the Highway Authority.

The proposal now incorporates a central open space that also provides permeability through the development via a footpath from Springvale Road to Top Field where an area

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of open space, including a play area, is to be provided. The landscaping and spatial quality of the development is improved from that proposed in the previous scheme which was dismissed at appeal, and the relationship between the proposed dwellings and neighbouring properties has been improved and is now satisfactory.

The scheme is only for outline approval, with all matters other than the means of access remaining for subsequent approval at the detailed stage. This ensures that adequate opportunity exists to resolve any remaining detailed concerns with regard to the siting and design of individual buildings when the details in compliance application is made.

On balance, it is therefore considered that the proposal now represents a satisfactory basis for a residential scheme of 62 dwellings, subject to the legal agreement requirements and conditions that are shown in the recommendation below.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for public open space, transport and management of un-adopted 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 agreements (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 Section 278 of the Highways Act, and any other relevant provisions as set out below:

1. The provision, by transfer at no cost to the Council, of 0.372 ha. of Public Open Space at Top Field for play and sports purposes (drawing (01)001), plus a commuted sum in regard to maintenance and supervision costs.
2. The provision of a permanent pedestrian means of access to the area of open space from the application site, together with separate means of vehicular access from a public highway to the open space land for purposes of undertaking maintenance of the land.
3. HCC transport contribution of £200,097.
4. The securing of permanent pedestrian rights of access through the site via the proposed footpath network and, in particular, the route that is to be provided from Springvale Road to the open space land on Top Field.
5. The provision of 19 units of affordable housing, the type, tenure and distribution to be first agreed with the Council's Strategic Housing Officer.
6. The setting up of a management company to secure the future management of all unadopted 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.

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7. The provision of a new footpath to Springvale Road northwards from the site access to connect with the existing footpath, and the provision of an informal crossing facility.

and subject to the following conditions:

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

Conditions

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

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

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

Reserved and Other Matters:

- a) The layout, including the positions and widths of roads and footpaths.
- b) The siting of all buildings.
- c) The design of all buildings, plant and tanks, including the colour and texture of external materials to be used together with samples of all facing and roofing materials.
- d) Details of hard and soft landscaping, including the landscape management plan.
- e) The layout of foul sewers and surface water drains.
- f) The provision to be made for parking, turning, loading and unloading of vehicles.
- g) The provision to be made for the storage and disposal of refuse.
- h) The finished levels of the ground floor of the proposed building(s) and the relationship to the levels of any existing adjoining buildings, together with contours to be formed and earthworks to be undertaken.
- i) Details of the siting, external appearance and materials to be used for any statutory or service providers' equipment such as electricity sub-stations, gas governors and telecommunication cabinets.
- j) The provision to be made for contractors' vehicles' parking and plant, storage of building materials and any excavated materials, huts and all working areas.
- k) The provision to be made for street lighting.
- l) The details of secure undercover cycle storage.

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

3. No development, 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 applicants (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.

4. 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) Car parking layout;
- d) Hard surfacing materials;
- e) Minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting etc);
- f) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc).

Soft landscape details shall include the following as relevant:

- 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) All boundary treatment
- k) Details of all root protection areas of all trees to be retained and all other measures in accordance with BS 5837:2005.
- l) Implementation programme:

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

5. 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

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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.

6. 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 thereby 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.

7. The plans and particulars submitted in accordance with the above condition shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of development and shall include:

- a) A plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
- b) Details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general state of health and stability, of each retained tree and their crown spread and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- c) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- d) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree;
- e) Details of the specification and position of fencing (and of any other measures to be taken) for the protection of any retained tree from damage before or during the course of development. The fencing shall conform to the recommendations of BS 5837, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable proper consideration to be given to the impact of the proposed development on the trees.

8. No development shall take place until a plan showing the visibility splays of 2.4 x 83m to the north and 2.4 x 120m to the south has been submitted to and approved in writing by the Local Planning Authority; thereafter, no development shall commence until the visibility splays shown on the approved plan have been provided. No obstructions above 600mm in height shall be placed within the visibility splay at any time.

Reason: In the interests of highway safety.

9. Development shall not begin until a final surface water drainage scheme and programme for the site, based on sustainable drainage principles (SUDS) and an assessment of the hydrological and hydrogeological context of the development has been

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submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a maintenance programme and establish ownership of the drainage system.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance.

10. The proposed mitigation measures in respect of any bats and/or dormice present on the site, and the requirements of any European Protected Species licence, shall be carried out as specified, unless the Local Planning Authority first agrees in writing to any variation thereto.

Reason: To ensure that appropriate measures are undertaken to safeguard protected species.

11. A detailed mitigation strategy shall be submitted to the Local Planning Authority at the details in compliance stage and shall be approved in writing before any ground works begin, taking account of the exceptional reptile populations present on the site. It is the view of Natural England that translocation is not an acceptable alternative to *in situ* conservation and should only be considered as a last resort. The first priority should always be to retain sustainable on-site populations. However, should translocation be decided upon as the most appropriate course of action, then Natural England advises that the methods employed should be based upon the HGBI guidelines for reptile translocation schemes (1998). The approved mitigation strategy in respect of any reptiles on the site shall be carried out as specified, unless the Local Planning Authority first agrees in writing to any variation thereto.

Reason: To ensure that appropriate measures are undertaken to safeguard ecological interests.

Informatives

1. In reaching its decision the Local Planning Authority has taken account of the following policies:

Hampshire County Structure Plan Review

- | | |
|-----|---|
| T5 | Planning permission conditional on meeting transport requirements |
| E14 | Preservation of local and national archaeological sites and monuments |

Winchester District Local Plan Review 2006

- | | |
|-------|--|
| DP.1 | Planning applications - supporting and explanatory information |
| DP.3 | General Design Criteria |
| DP.4 | Landscape and built environment |
| DP.5 | Design of amenity open space |
| DP.6 | Design of amenity open space |
| DP.8 | Flood risk |
| DP.10 | Pollution generating development |
| DP.13 | Contaminated land |
| CE5 | Landscape character |
| CE10 | Nature conservation - undesignated sites |

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HE1	Archaeology – principles for development
HE2	Archaeology – criteria for development
HE3	Historic parks, gardens and battlefields
H3	Development in built up areas – defined policy boundaries
H5	Affordable housing
H7	Housing mix and density
RT4	Recreational space for new housing development
RT5	Improvements in recreational provision
RT6	Improvements in recreation provision – play facilities
RT8	Formal recreation
T1	Transport – development location
T2	Transport – development access
T3	Transport – development layout
T4	Parking standards
T.5	Off-site transport contributions
T.6	Integrated transport infrastructure

The decision to grant planning permission has been taken because the development is in accordance with the Development Plan and would have no materially harmful impact on the character or appearance of the area, or the residential amenities of the occupants of neighbouring properties. Having taken into account all the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
3. No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.
4. The LEAP area proposed within Top Field may have archaeological implications, which the developer is requested to discuss further with the Winchester City Council Archaeologist before any work is undertaken in connection therewith.
5. To reduce the likelihood of harm to breeding birds, clearance of trees and areas of scrub should avoid the bird breeding season (March - August inclusive).
6. 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 Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858 688) or email www.southernwater.co.uk
7. The applicant is reminded that a formal application should be made to Southern Water

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for any connection to the water supply and the provision of on-site mains.