

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**18 June 2009**

Attendance:

Councillors:

Jeffs (Chairman) (P)

Barratt (P)  
Baxter (P)  
Busher (P)  
Evans (P)  
Fall

Huxstep (P)  
Johnston (P)  
Lipscomb (P)  
Ruffell (P)  
Tait (P)

Deputy Members:

Councillor Thompson (Standing Deputy for Councillor Fall)

Others in attendance who addressed the meeting:

Councillors Coates and Cooper

Other in attendance who did not address the meeting:

Councillor Pearson

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1. **MINUTES**

The Committee considered the minutes of the previous meeting of the Committee, held on 28 May 2009.

In respect of Minute 5 – Approval of Tree Works Application on Tree Preservation Order 0020 – Ardmhor, 38 Chilbolton Avenue, Winchester (Report PDC806 refers), the following amendment to paragraph 5, as shown in bold, was agreed:

‘...mindful of the difficulties the developer had caused some local residents during construction of the site **by removing a hedge in breach of landscape condition, it was** therefore requested that, if granted, the scheme be closely monitored.’

RESOLVED:

That, subject to the above amendment, the minutes of the previous meeting of the Committee, held on 28 May 2009, be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**  
(Report [PDC810](#) Refers)

Councillor Tait declared a personal (but not prejudicial) interest in respect of Item 1 as he was acquainted with the applicant's agent, as he had previously been his neighbour for several years. Councillor Tait also declared personal (but not prejudicial) interests in respect of Item 2 as he was the Treasurer of the Bat and Ball Cricket Club which utilised the facilities subject to the planning application and also that he was acquainted with the supporter who spoke, Mr Bazeljette. In respect of Item 3, he also declared a personal (but not prejudicial) interest as the applicant had previously been acquainted with him as a work colleague for several years. He spoke and voted thereon on all three applications.

Councillor Lipscomb declared a personal (but not prejudicial) interest in respect of Item 5 as was a member of the Council of the City of Winchester Trust, which had commented on the application. However, he had taken no part in the Trust's consideration of the item and he spoke and voted thereon.

Councillor Evans declared a personal (but not prejudicial) interest in respect of Item 1 as she had recently purchased a home from the developer, Bargate Homes. She spoke and voted thereon. Also, in respect of Item 6, by way of a personal statement, Councillor Evans explained that she had previously been aware of the associated enforcement case. Councillor Evans therefore withdrew from the Committee for that item and, having commented on the proposals on behalf of Wickham Parish Council during public participation, sat in the public gallery. Councillor Evans stated that she was not a member of Wickham Parish Council Planning Committee and therefore was not party to their objection to the proposal, but was representing their views.

By way of personal statement, Councillor Johnston explained that in respect of Item 5, he had recently been in contact with the supporter of the application who was a representative of Hampshire and Isle of Wight Wildlife Trust, Mr De Retuerto, to arrange a tour of Winnall Moors next week for some visitors to Winchester. He spoke and voted thereon.

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

**Item 1: Hartridge and Sons Ltd, West Street, Hambledon, Waterlooville – Case Number 09/00136/FUL**

Dr Dixon spoke against the application and Mrs M Coates (Hambledon Parish Council), Councillor T Coates (a Ward Member) and Mr Burton (on behalf of the applicant) spoke in support.

In summary, Councillor Coates gave a brief outline of the history of the site that, until relatively recently, had been involved in the manufacture and distribution of soft drinks and more recently, with storage. He reported on the problems of heavy vehicles turning into the site. Councillor Coates acknowledged that, although the defined policy boundary of the village

extended across the site, an exception to develop the entire site was appropriate in this case, due to the overall viability of the proposals and that it would also create much needed affordable housing for local people.

In response, the Head of Planning Management demonstrated that a significant area of the existing industrial site was outside policy boundary, although visually, this could not be easily determined. It had been shown, by the submission of residual valuations, which had been verified by the Council's valuer, that it would not be viable to develop only that part of the site within the defined settlement area. Attention was also drawn to Policy E2 that allowed for the loss of employment land if it could be demonstrated that there were overriding associated environmental and highway problems associated with the existing use of the site. With regard to the affordable housing, eleven dwellings were proposed to be distributed across the entire site. Whilst policy would normally require more affordable housing units to be provided (i.e. equivalent to the number of houses that would fit on land outside the policy boundary plus 30% of the housing within the policy boundary), it had been shown that this is not viable. However, all of the proposed affordable housing within the development would be for rent and would be reserved for local people.

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

Item 2: North Boarhunt Parish Hall, Trampers Lane, North Boarhunt, Fareham – Case Number 09/00490/FUL

Ms Ratten and Ms Griffiths (residents) spoke against the application and Councillor Cooper (as Ward Member) commented on the application and Mr Bazeljette spoke in support.

Before he addressed the Committee, Councillor Cooper declared a personal (but not prejudicial) interest in this item as both a member of the Parish Council and as the City Council's Portfolio Holder for Communities and Safety with responsibility to award capital grants.

In summary, Councillor Cooper explained that the application site was small, narrow and sloping and that the proposal made best practical use of the limited space available. In terms of the footprint, mass, height and area to be turned to hardstanding, the proposal was not replacing like for like. Several local residents had commented that the isolated and prominent position and poor condition of the present village hall did not enhance the surrounding rural environment. The proposed replacement hall would be larger than the existing facility and therefore it should be considered as to whether this would represent an environmental improvement. He also referred to an alternative scheme at the recreation ground that had recently received approval for the details in compliance further to the previous outline planning consent that had been granted. Councillor Cooper advised that the local community would decide, should this proposal be approved, which hall would be built.

Councillor Cooper outlined problems associated with noise and disturbance to local residents from the existing hall and questioned whether there would be an improvement to this. He also detailed the continued problem of parking along the verges and footways of Trampers Lane, notably during the most popular events at the hall. He suggested that the overspill car park proposed at the recreation ground was too far away to be readily utilised. There was significant shortfall in parking proposed on site.

Following discussion, the Committee was mindful of the significant parking issues associated with the facility and that this was likely to be further exacerbated, as a new hall was likely to be popular. To this end, it was agreed that an Informative be added to any planning consent, specifying that the management of the facility promote via appropriate signage and event ticketing, the restrictions of parking spaces within the immediate vicinity, and that alternative parking was available approximately 300 metres way at the recreation ground. The Head of Legal Services also clarified that both proposals would be subject to a Section 106 Legal Agreement to ensure that only one of the two proposals would eventually be constructed.

Following debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) as set out in the Report, with the addition of an Informative relating to parking as described above.

Item 3: Rose Cottage, Ludwells Lane, Waltham Chase – Case Numbers 09/00705/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, representation had been received from Swanmore Parish Council. They objected to the application as the proposed dwelling was situated in the local countryside gap. The Committee was also advised of a correction to the final paragraph on page 34 of the Report. There was no primary school or GP surgery within 2km (not 500km as shown) of the proposal site.

Mr Tutton (agent for the applicant) spoke in support of the application.

Following debate, the Committee agreed to the Recommendation to refuse planning permission for the reasons as set out in the Report.

Item 4: Fair Winds, Vicarage Lane, Swanmore – Case Number 09/00322/FUL

Mr Reay (on behalf of the applicant) spoke in support of the application.

Following debate, the Committee agreed to the Recommendation to refuse planning permission for the reasons as set out in the Report. It was also agreed to include a further reason in that the proposed development would be contrary to Policy DP3, as it would also have inadequate amenity space.

Item 5: Winnall Moors Nature Reserve, Gordon Road, Winchester – Case Number 09/00365/FUL

The Head of Planning Management advised that, subsequent to publication of the Report, consultation response had been received from Winchester City Council's Head of Estates. In summary, this raised no objection as the majority of the application was for the maintenance of the Reserve, which the Council's tenant was obliged to do under the lease terms. With regard to the entrance archway, there was also no objection raised.

Mr De Retuerto (applicant) spoke in support of the application.

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

Item 6: Green Trees, Hoads Hill, Wickham – Case Number 08/02595/FUL.

As a representative of the Wickham Parish Council, Councillor Evans put forward the view of Wickham Parish Council on their behalf.

Following discussion, the Committee agreed that the application should be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee, to be held on Tuesday 7 July 2009. This was because Members did not consider it possible to determine the application without first visiting the site to assess the impact of the proposals on the amenity of neighbours. The Committee were also in agreement that it was difficult to visualise the required modifications to the decking and construction of fencing along boundaries without noting first hand the elevations and proximities to neighbouring properties.

Item 8: Molly's Field, Ervills Road, Worlds Ends, Hambledon – Case Number 09/00172/FUL

Mrs Mills (applicant) spoke in support of the application.

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

The following items had no public participation:

Item 7: Pennys Acres – Stable Block, Clewers Hill, Waltham Chase – Case Number 09/00618/FUL

During debate, it was clarified that the proposed variance of use to a commercial horse breeding enterprise would not generate a material increase in traffic to the site. It was noted that horse livery, for example, would generate significantly more trips but the Head of Legal Services clarified that this would be subject to a further application for change of use that would require planning permission. Following further discussion, the Committee requested that a further condition be added to specify that any consent granted would not be inclusive of horse livery activity.

Following debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) as set out in the Report and a Condition as described above (with exact wording delegated to the Head of Planning Management and the Head of Legal Services, in consultation with the Chairman).

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 2 (North Boarhunt Parish Hall, Trampers Lane, North Boarhunt), the application be granted, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree detailed wording of an Informative with regard to the promotion of alternative parking facilities away from the site.

3. That, in respect of Item 4 (Fair Winds, Vicarage Lane, Swanmore) 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 an additional reason for refusal as the proposed development was also contrary to Policy DP3, as it would have inadequate amenity space.

4. That, in respect of Item 6 (Green Trees, Hoads Hill, Wickham) the application be determined by a meeting of the Planning Development Control (Viewing) Sub-Committee to be held on Tuesday 7 July 2009.

5. That, in respect of Item 7 (Pennys Acres – Stable Block, Clewers Hill, Waltham Chase), the application be granted, with authority being delegated to the Head of Planning Management and Head of Legal Services (in consultation with the Chairman) to agree detailed wording of an additional condition to specify that the planning consent granted would not include horse livery activity.

3. **LAND AT WARNFORD ROAD, CORHAMPTON**  
(Report [PDC811](#) Refers)

RESOLVED:

That the Head of Legal Services be authorised to enter into a Deed to modify the Undertaking dated 14 September 2006 between Antler Homes Wessex Limited (1) Graham Swinton Lee (2) Jan Willem Hedrick Kuiper and Hilary Jane Kuiper (3) and HSBC Bank plc concerning land adjacent to Warnford Road, Corhampton, Hampshire to provide 2 units of affordable housing to be maintained as intermediate rented housing.

The meeting commenced at 9.30am, adjourned for lunch between 12.50pm and 1.30pm and concluded at 3.30pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

**RESOLUTIONS**

**18.06.2009**

PART II DEVELOPMENT CONTROL APPLICATIONS  
AND DECISIONS THEREON



**Hambledon**

**Ward**

**Droxford, Soberton And Hambledon**

**1 Conservation**

**Area:**

**Case No:** 09/00136/FUL

**Ref No:** W01816/25

**Date Valid:** 24 February 2009

**Grid Ref:** 464222 114756

**Team:** EAST

**Case Officer:** Mrs Julie Pinnock

**Applicant:** Bargate Homes

**Proposal:** (AMENDED PLANS 22/04/2009) 1 no. one bedroom house, 2 no. one bedroom flats, 4 no. two bedroom flats, 10 no. two bedroom houses, 5 no. three bedroom houses, 6 no. four bedroom houses and 278 sq m's B1 class office space with associated open space and landscaping (THIS IS A DEPARTURE FROM THE DEVELOPMENT PLAN)

**Location:** Hartridge And Sons Ltd West Street Hambledon Waterlooville Hampshire PO7 4SN

**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 Prior to the commencement of development, a detailed plan shall be submitted and approved in writing by the Local Planning Authority identifying the exact location of car parking in relation to the residential dwellings along with visitor parking, and that for the office use. The development shall be carried out in accordance with the approved details.

Reason: To ensure permanently availability of car parking for the development.

4 Prior to the commencement of development, a detailed plan shall be submitted and approved in writing by the Local Planning Authority identifying secure and undercover cycle parking in relation to the residential dwellings and office use. The development shall be carried out in accordance with the approved details.

Reason: To ensure secure and covered cycle parking is provided in accordance with the Councils policies on promoting sustainable transport modes.

5 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.

6 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.

7 The parking area including the garage shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

Reason: To ensure the permanent availability of parking for the property.

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

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

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

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

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

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

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

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

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

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

11 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference 8211-AIA-DC written by David Cashman of Barrell Tree Consultancy and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with 8211-AIA-DC. Telephone 01962 848 222.

No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement 8211-AIA-DC.

Any deviation from works prescribed or methods agreed in accordance with Method Statement 8211-AIA-DC shall be agreed in writing to the Local Planning Authority.

Reason: To ensure the protection of existing trees on the site.

12 Details of the design of building foundations and the layout, with positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they affect trees and hedgerows on or adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority before any works on the site are commenced.

Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

13 Details of the size, species and positions or density of all trees to be planted, and the proposed time of planting shall be provided to the local planning authority for approval.

If, within a period of 2 years from the date of planting, the tree (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent.

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

14 No development shall take place until details of the internal finished floor levels (in metres above Ordnance Datum Newlyn) of plot numbers 1, 2 and 3, and the office accommodation have been submitted to and approved by the Local Planning Authority in writing. In accordance with the letter from WYG (dated 21 April 2009, reference DR/ns/HB07007) the finished floor levels must be raised by at least 600mm above the lowest surrounding ground level.

Reason: To reduce the residual risk of flooding to the proposed development and future occupants.

15 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure this development proceeds in accordance with the requirements of PPS23. The current and historic uses of the site mean there is potential for land contamination to be present. The desk study report has identified potential sources of contamination and sensitive receptors. Due to the location of the site on a principal aquifer, within a groundwater Source Protection Zone 3, and in close proximity to the Hambledon Stream, the risks to controlled waters from any contamination at the site must be fully investigated and understood.

16 A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure the satisfactory remediation of the site, if deemed necessary, in accordance with PPS23.

17 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To protect controlled waters from contamination. Due to the historic uses of the site, there may be areas of contamination on site that are not identified and characterised during intrusive site investigations.

18 No infiltration of surface water drainage into the ground shall take place other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To protect controlled waters from contamination.

19 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect controlled waters from contamination. Piling can create pathways for contamination to reach groundwater and thereby surface waters.

20 The development hereby permitted shall be carried out in accordance with the recommendations set out in the Bat Activity Survey Report (Haven Wildlife, 2008) unless otherwise agreed in writing by the Local Planning Authority. Further survey work shall be completed by a suitably trained professional prior to demolition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with Conservation (Natural Habitats \_ C.) Regulations 1994 and the Wildlife and Countryside Act 1981(as amended) and to accord with the Bat Activity Survey Report (Haven Wildlife, 2008) submitted with the application.

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, D, E, F, G and H of Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

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

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Class A of Part 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

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

23 Before development commences detailed drawings at a 1:20 scale shall be submitted to and approved by the local planning authority showing the following details:

- a) Chimneys
- b) Eaves details
- c) Window details, showing 100mm reveals and being of timber construction

- d) Front doors and garage doors – timber construction
- e) Porches
- f) Arches
- g) Boundary walls, fence, retaining walls, and gates
- h) Dormers
- i) Lead roofs

The approved detail shall be fully implemented for each dwelling and for each office unit before it is occupied.

Reason: In the interests of visual amenity.

24 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours:
- means of enclosure, including any retaining structures:
- car parking layout:
- other vehicle and pedestrian access and circulation areas:
- hard surfacing materials:
- minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc):
- proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- retained historic landscape features and proposals for restoration.

Soft landscape details shall include the following as relevant:

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

- manner and treatment of watercourses, ditches and banks:

- implementation programme:

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

25 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.

### **Informatives**

1. The development is not in accordance with the Policies and Proposals of the Development Plan set out below but there are other material considerations which indicate that the determination should be made other than in accordance with Development Plan as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004.

2. 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.

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

Regional Policy Guidance: RPG 9 Q1, Q5, E1, RE1, RE4, RE5, RE10

South East Plan: H1, H3, H4, H5, T4, BE.1, BE6

Hampshire County Structure Plan Review: H.2, E.16, E.17 (saved policies)

Winchester District Local Plan Review: H.3, CE.1 - CE.28, E.2, H.5, H.7, DP.3, DP.4, DP.5, DP.6, T.1-T.6



4. It is advised that all bat species are protected under the Conservation (Natural Habitats, &c.) Regulations 1994 and the Wildlife and Countryside Act 1981 (as amended). Legal protection covers bats and elements of their habitats. A European Protected Species licence would be required in order to allow prohibited activities, such as disturbing bats or damaging their breeding sites or resting places, for the purpose of development.

5. All work relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

**Boarhunt**

**Ward**

**Boarhunt And Southwick**

**2 Conservation**

**Area:**

**Case No:** 09/00490/FUL

**Ref No:** W04074/02

**Date Valid:** 16 March 2009

**Grid Ref:** 460392 111033

**Team:** WEST **Case Officer:** Mr Neil Mackintosh

**Applicant:** Mr Douglas Andrews

**Proposal:** Demolition of existing hall and erection of single and two storey replacement hall/social club

**Location:** North Boarhunt Parish Hall Trampers Lane North Boarhunt Fareham Hampshire PO17 6DD

**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 building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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:

- existing and proposed finished levels or contours;
- means of enclosure, including any retaining structures;
- hard surfacing materials.

Soft landscape details shall include the following, as relevant:

- planting plans, including proposals for boundary hedging;
- written specifications (including cultivation and other operations associated with plant establishment;
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- implementation programme;

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 Details of a scheme for insulating the building hereby approved against internally generated noise shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development and completed before the use permitted commences. Such noise insulation shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To secure the reduction in the level of noise emanating from the building and to protect the amenities of the occupiers of nearby premises.

6 Detailed proposals for the disposal of foul and surface water 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 building is occupied..

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

7 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.

8 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.

9 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.

10 No floodlighting, whether free standing or affixed to an existing structure, shall be provided on the site unless previously agreed, in writing, by the Local Planning Authority.

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

### **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:-

South East Plan: None

Winchester District Local Plan Review 2006: SF7, CE4, CE5, DP3, DP6, T1, T2, T4

3. The applicant is requested to implement measures to assist in the management of overflow car parking by including information on all booking confirmations advising hirers of the hall facilities that users should not obstruct Trampers Lane and giving directions for the use of the overflow parking facility at the recreation ground. A suitable sign within the hall car park should also clarify the overflow parking arrangements available at the recreation ground and details of all signage should be first agreed with the local planning authority.

**Swanmore**

**Ward**

**Swanmore And Newtown**

**3 Conservation**

**Area:**

**Case No:** 09/00705/FUL

**Ref No:** W04103/06

**Date Valid:** 3 April 2009

**Grid Ref:** 456757 115871

**Team:** WEST **Case Officer:** Lorna Hutchings

**Applicant:** Mr Richard Colson

**Proposal:** 1 no. five bedroom dwelling (RESUBMISSION)

**Location:** Rose Cottage Ludwells Lane Waltham Chase Hampshire  
SO32 2NP

**Officer:** REF

**Recommendation:**

**Committee Decision:**

REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON(S):-

**Conditions/Reasons**

1 The proposal would not comply with policy H.4 of the Winchester District Local Plan in that it would result in an unsustainable form of development because the site is located outside the defined settlement boundary for which there is no overriding policy justification, as defined in the Winchester District Local Plan Review where there is a presumption against new private dwellings in the countryside. In addition, the proposal is contrary to the following criteria of policy H.4, 'Implementation of Infilling Policy' supplementary guidance and would therefore have a harmful and urbanising effect on the locality and character of the area.

a) Criterion 1, the site does not provide safe and convenient access either by foot or by public transport to an adequate range of facilities and services;

- b) Criterion 2, the site does not form a limited gap between permanent established dwellings within an otherwise continually built up frontage;
- c) Criterion 4, the site does not lie within one of the settlements listed in Annex C;
- d) Criterion 5, the development conflicts with policy CE.3 of the Local Plan relating to the Local Gap; and
- e) Criterion 7, the proposal does not respect and respond positively to the particular character of the locality and does not make efficient use of the site.

2 The proposal is contrary to the design and development principles (DP.8) of the Winchester District Local Plan Review and PPS25 'Development and Flood Risk' as the site lies within fluvial Flood Zone 2 and it is not considered that the requirements for the Sequential Test, Flood Risk Assessment, mitigation and sustainable drainage principles have been adequately demonstrated, therefore giving rise to a high flood risk and unsustainable development.

3 The proposal is contrary to countryside policy CE.2 of the Winchester District Local Plan Review in that it would undermine the function of and physically diminish a Local Gap as defined between Bishops Waltham - Swanmore - Waltham Chase, thereby failing to preserve the separate identities of these smaller settlements to the detriment of these areas of open and undeveloped land in the countryside.

4 The proposal is contrary to design and development policy DP.3 and housing policy H.7 of the Winchester District Local Plan as the design, size and layout would not make efficient and effective use of the land, would not respond positively to the character and appearance of the local environment and would have an adverse impact on the adjoining property, thereby resulting in harm to sustainability objectives of PPS3, the visual amenities and character of the countryside and the private amenities of the neighbouring property, respectively.

5 The proposal is contrary to policy RT4 of the Adopted Winchester District Local Plan Review 2006 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 and would undermine this plan's Policies for recreational open space provision within the District.

6 The proposal in contrary to Policy DP9 of the Adopted Winchester District Local Plan Review in that it fails to make adequate provision for improvements to transport and the highway network, in accordance with Hampshire Country Council's Transport Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and burden imposed on the existing network arising from this development.

### **Informatives**

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

South East Plan 2009: CC1, CC4, CC6, H4, H5, T4, W2, BE1, NMR4.

Winchester District Local Plan Review 2006: DP.3, DP.5, DP.8, DP.9, CE.2, CE.3, H.4, H.7, RT.4, T.1, T.2, T.4.

**Swanmore**                      **Ward**                      **Swanmore And Newtown**

**4 Conservation**

**Area:**

**Case No:** 09/00322/FUL

**Ref No:** W06434/07

**Date Valid:** 19 February 2009

**Grid Ref:** 457898 116363

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

**Applicant:** Mr Richard Everitt

**Proposal:** Erection of three bed detached dwelling on land to the rear of Fair Winds

**Location:** Fair Winds Vicarage Lane Swanmore Southampton  
Hampshire SO32 2PW

**Officer** REF

**Recommendation:**

**Committee Decision:**

REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON(S):-

**Conditions/Reasons**

1 The proposed development is considered to be contrary to Policy DP3 of the Adopted Winchester District Local Plan Review 2006 in that it would be harmful to the spatial characteristics of the locality by being too large for the plot in which it is situated and would appear too large in relation to its surroundings and visually damaging when viewed in relation to existing development, with the north sidewall creating a cramped form of development in relation to the neighbouring plot.

2 The proposal is contrary to Policy RT4 of the Winchester District Local Plan Revised 2006 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.

3 The proposal is contrary to Policy DP.9 of the Winchester District Local Plan Review in that it fails to make adequate provision for improvements to transport and the highway network, in accordance with Hampshire County Council's Transport Contributions Policy 2008, such provision being required in order to mitigate for the additional transport needs and burden imposed on the existing network arising from this development.

4 The proposed development would not provide an amount of private amenity space appropriate to the size of the dwelling proposed and accordingly would not

achieve a standard of development that would be compatible with the character of the area. In particular it would not allow for an adequate provision of space about the building to maintain the amenity of the existing dwelling whilst providing adequate space for the new dwelling sufficient to prevent any adverse impact on the amenity of neighbours. Accordingly the proposal would result in an overdevelopment of the site and not accord with the requirements of policies DP3 (ii), (vii) (viii) and DP 5 of the Winchester District Local Plan Review 2006.

### Informatives

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

Winchester District Local Plan Review 2006: DP3, RT4, DP9, T2

	Winchester Town	Ward	St Bartholomew
<b>5</b>	<b>Conservation Area:</b>	Winchester - Designated as 3 separate areas Dec 1967 and May 1969 Extended February 1981, June 1986 and January 1990 Now combined into one area. Published 2003	
	<b>Case No:</b>	09/00365/FUL	
	<b>Ref No:</b>	W07220/02	
	<b>Date Valid:</b>	26 March 2009	
	<b>Grid Ref:</b>	448773 130265	
	<b>Team:</b>	WEST	<b>Case Officer:</b> Mr James Jenkison
	<b>Applicant:</b>	Hampshire And Isle Of Wight Wildlife Trust	
	<b>Proposal:</b>	Construction of 3 no. foot bridges, 1 no. sluice and an entrance archway	
	<b>Location:</b>	Winnall Moors Nature Reserve Gordon Road Winchester Hampshire	
	<b>Officer</b>	PER	
	<b>Recommendation:</b>		

### 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 entrance archway and bridges 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.

### **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: DP3, CE5, CE8, RT9

3. Flood Risk

The proposed construction of the 3 bridges and a replacement sluice already have Flood Defence Consent for the works. The proposed archway at the southern entrance does not have Flood Defence Consent and the applicant should contact Rob Waite, on telephone no. 01962 764897, to discuss any consenting requirements if the structure is located within 8 metres of the River Itchen, designated as main river.

4. Fisheries, Recreation & Biodiversity

The Environment Agency have a number of representatives on the steering group for this project. We recommend consultation with them on aspects of the design of the sluice in the interests of protecting salmon smolts (designated species on the Itchen).



**Wickham**

**Ward**

**Wickham**

**6 Conservation**

**Area:**

**Case No:** 08/02595/FUL

**Ref No:** W04063/05

**Date Valid:** 23 December 2008

**Grid Ref:** 457540 110572

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

**Applicant:** Mr And Mrs Way

**Proposal:** Erection of boundary fence and decking to rear  
(RETROSPECTIVE)

**Location:** Green Trees Hoads Hill Wickham Fareham Hampshire  
PO17 5BX

**Officer** PER

**Recommendation:**

**Committee Decision:**

**DEFERRED For Consideration by the Planning Viewing Sub-Committee 7 July 2009.**

**Bishops Waltham**

**Ward**

**Bishops Waltham**

**7 Conservation**

**Area:**

**Case No:** 09/00618/FUL

**Ref No:** W14671/06

**Date Valid:** 30 March 2009

**Grid Ref:** 455418 115838

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

**Applicant:** Mrs Sharon Foreman

**Proposal:** (AMENDED DESCRIPTION) Non compliance with condition no. 2 of permission W14671/01 to allow use of land for commercial horse breeding enterprise (RESUBMISSION)

**Location:** Pennys Acres - Stable Block Clewers Hill Waltham Chase  
Southampton Hampshire SO32 2LN

**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 The proposal shall be undertaken in accordance with the application details dated 25 March 2009 and the details of the letter stamped received 12 January 2008 (ref: W14671/05) and shall not exceed the stabling of 2 stallions and 5 overstayng mares in addition to the applicants 5 breeding mares on the site.

Reason: To define this planning permission and to ensure that the Local Planning Authority can fully assess any cumulative impact that may arise from equestrian activities along Clewers Hill.

3 Details of the facilities for the storage of horse manure and its means of disposal from the site shall be submitted to and approved in writing by the Local Planning Authority within one month of the granting of this permission. The facilities shall be provided and thereafter maintained in accordance with the approved details.

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

4 No floodlighting whether free standing or affixed to an existing structure, shall be installed on the site at any time.

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

5 The land associated with the use hereby permitted shall not be used for the keeping of horse transport vehicles, horse boxes, caravans, mobile stables or any other structures, vehicles or chattels (including horse jumps and other equestrian equipment and paraphernalia), unless agreed in writing by the Local Planning Authority.

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

6 The use hereby permitted shall not extend to any livery use of the premises including DIY livery or for any other equestrian uses beyond those to which condition 2 of this permission refers.

Reason. To limit the intensity of the equestrian use in the interests of highway safety.

### **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: DP3, RT11

**Denmead**

**Ward**

**Denmead**

**8 Conservation**

**Area:**

**Case No:** 09/00172/FUL

**Ref No:** W04495/15

**Date Valid:** 24 March 2009

**Grid Ref:** 463238 112464

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

**Applicant:** Mrs Carole Mills

**Proposal:** Siting of 2 no. mobile field shelters; change of use from agricultural to equestrian (RETROSPECTIVE)

**Location:** Mollys Field Ervills Road Worlds End Hambledon Hampshire

**Officer** PER

**Recommendation:**

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

**Conditions/Reasons**

1 No more than 8 horses shall be kept on the land at Mollys Field in association with the equestrian use of the land, unless any variation is first agreed in writing with the Local Planning Authority.

Reason: To limit the intensity of the equestrian use in the interests of highway safety.

2 The 2 field shelters hereby permitted shall be for the private use of the applicant and shall not be used for any other purpose, including DIY livery, riding school and commercial breeding.

Reason: To limit the intensity of the equestrian use, in the interests of highway safety.

3 No horse jumps, fencing or additional field shelters, shall be erected on the site nor horse boxes and trailers stored on the site without written permission from the Local Planning Authority.

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

4 Within 2 months from the date of this consent, details of a soft landscape scheme showing planting to the immediate rear of the field shelters and reinforcement of the boundaries of the site with a suitable mix of native species shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out, as approved, in the next planting season.

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

5 Details of the facilities for the storage of horse manure and its means of disposal from the site shall be submitted to and approved in writing by the Local Planning Authority before the use of the stables is commenced. The facilities shall be provided and thereafter maintained in accordance with the approved details.

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

6 No floodlighting, whether free standing or affixed to an existing structure, shall be provided on the site at any time.

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

7 Within 2 months from the date of this consent the external walls of the shelters shall be stained a dark earth-based colour, details of which shall first be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

8 The shelters shall not be moved from the positions shown on the approved drawings unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to protect the amenity of neighbours.

### **Informatives**

1. This permission is granted for the following reason:  
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: DP3, CE5 and RT11

3. All precautions must be taken to avoid discharges and spills to the water system and environment. For advice on pollution prevention measures, the applicant should refer to the Environment Agency's Pollution Prevention Guidance which is available on its website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

4. The applicant is advised that the preferred method of disposal is the frequent removal of manure from the site. The burning of manure or large scale storage on site will not be an acceptable method.

The applicant should contact the Environment Agency on 0800 807060 to discuss changes to the legislation covering the storage and disposal of horse manure.

