

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 3
Case No: 09/01990/FUL / W11401/17
Proposal Description: Alterations to footpath (amendment to existing planning permission 08/01904/FUL / W11401/16)
Address: Perins School, Pound Hill, Alresford, Hampshire SO24 9BS
Parish, or Ward if within Winchester City: New Alresford
Applicants Name: Winchester City Council
Case Officer: Mr Nick Fisher
Date Valid: 1 October 2009
Site Factors: New Alresford - Boundary amendments May 1999, Published November 2001
County Heritage Site
Conservation Area

Recommendation: Application Permitted

General Comments

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

Site Description

The site (Perins Community School, New Alresford) is a mixed comprehensive for 11 to 16 year olds. The school consists of several large buildings located within the eastern section of the site. Vehicle access is gained from The Avenue to the north and from Jacklyns Lane to the east.

The western section of the site contains large, open playing fields, and both the north and south boundaries consist of mature hedgerows and trees. A recently-constructed footpath runs parallel to the site's southern boundary, to the rear of the houses in Thornton Close and parallel to the access track to the Scout Hut. This boundary consists of established hedging and trees and the rear fence panelling serving the neighbouring gardens. The footpath is illuminated at night by 4m. high street lamps. The footpath gives access from Bridge Road to the school and associated community facilities and to The Avenue to the north.

The area of land upon which it is proposed to extend the footpath is located to the west of the existing path and is currently an open playing field. There are rugby and football pitches immediately to the north of the strip of land where it is proposed to create the path. To the south and west are established hedges. Beyond the western boundary, there is the parking and turning area serving the dwellings facing Bridge Street and associated garden areas serving these dwellings.

Proposal

The application proposes to extend the footpath within the school playing field by an additional 56m. (approx.), to the west of the existing access with the lane to the south. A new access will be created by removing a section of hedge adjacent to the track, and the

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existing access will be closed by new native planting. The need to relocate the access has arisen because of ownership issues which have come to light in relation to the track which links to the south of the school site.

The footpath will be located 1m. away from the existing hedging along the southern boundary; this is to protect the existing hedge. It is proposed to cut a new access through the hedge 4m. away from the rear parking areas serving the dwellings to the west on Bridge Road. Apart from the entrance / exit to the path, it is not proposed to remove any other vegetation.

The new section of the footpath will be served by two lamp posts to match the existing posts that serve the other sections of the path. The track will be constructed using black tarmac to match the existing path; the track will drain water into the surrounding playing field. Access to the track will be gained from Bridge Road using the existing track, as per the current situation.

As with the existing footpath, it is intended that the extended path will be used by school pupils, persons visiting the school and associated community facilities and persons wishing to gain access to the centre of Alresford via The Avenue. The original footpath scheme, and creation of a public car park within the school's grounds, were developed in partnership between Alresford Town Partnership and Winchester City Council

Relevant Planning History

08/01094/FUL : Construction of new footpath through Perins School playing fields with connection(s) through the southern boundary and connections to The Avenue; provision of new public car park for 70 spaces – Permitted – 22/07/2008.

Consultations

Engineers: Drainage:

No objection. The path will drain upon adjacent grass land.

Engineers: Highways:

The Officer supports the proposal. The footpath extension will remove pedestrians from a section of track that is shared by both vehicles and pedestrians; this will result in a safer situation.

Environmental Protection Team:

No objection, subject to a condition regarding unexpected contamination (Condition 3).

Landscape Team:

No objection, on the basis of the revised plans showing the footpath pulled away from the hedge by 1 metre. The existing entrance / exit shall be sealed with native planting. (Conditions 2 and 4).

Natural England:

The development will not impact upon the SSSI nearby. The Agency does not object to the proposal.

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HCC. Countryside / Access Department:

Supports the improvement of pedestrian facilities.

Hampshire Constabulary:

No objection. The local Police consider that the path will improve access to the school for pedestrians.

HCC Children's Services:

No comment.

HCC Ecology:

The Officer has examined the proposal and raises no objection. The Ecologist considers that the proposed removal of the hedgerow will not harm protected species or the local ecology. However, the Officer requests that hedgerow / shrub clearance takes place outside of the bird breeding season (March to August), that replacement hedging is introduced to seal the present entrance, and that native species are used. Furthermore, the proposed lighting should be similar to the existing lighting; this is because the existing lighting is low and directs light upon the footpath rather than upon the adjacent hedge (Condition 4).

Southern Water:

No objection.

Representations

New Alresford Town Council:

No objection, subject to there being no third party land ownership problems arising.

Seven letters received objecting to the application, for the following reasons:

- The proposal is unnecessary and a waste of money; the existing access could be used;
- Increase in damage to the lane will take place; the area with Bridge Road is in a poor state of repair and needs maintenance;
- The proposal will require the removal of trees and hedging that act as a screen and encourage wildlife; this loss will impact upon the residential amenity of nearby residents;
- The new light posts will give rise to increased light pollution that will impact upon the occupiers of the properties to the west of the path;
- The new entrance will increase the likelihood of people congregating at the entrance adjacent to the lane and to the rear of the dwellings on Bridge Road, there is the potential for anti-social behaviour (loud behaviour, vandalism, litter dropping etc); it should be noted that nearby garages have recently been burgled;
- The general public should not be allowed to use the footpath, only school children should have access to the path; this is because the footpath presents a security problem / risk to nearby residents, particularly the elderly. Hampshire County Council's Crime Prevention Officer reviewed the earlier application and commented that the school suffered from above average levels of crime. Measures such as CCTV have not been introduced;
- The foliage provides a place for potential attackers to hide, it is alleged that there

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- has been an unknown person approaching girls within the area;
- The construction of the path will cause further disruption to local residents, particularly the elderly;
 - Levels of pedestrians within the area have already increased due to the existing footpath, it is only a matter of time until a car using the access to the Scout Hut hits a pedestrian;
 - The path is not locked / closed and is in use twenty four hours a day, it is not closed at 10pm as originally stated by the school;
 - The entrance / exit is too close to neighbouring properties and will increase levels of vandalism in the area.

One letter of comment received:

- A sleeping policeman is required on the lane to the Scout Hut to slow down cars, because there is the potential for an accident between pedestrians and moving vehicles.

Relevant Planning Policy

South East Plan 2009:
CC6

Winchester District Local Plan Review:
DP1, DP3, DP4, DP10, SF6, RT2, RT7, T3, T8

National Planning Policy Guidance/Statements:
PPS 1 Delivering Sustainable Development
PPS 6 Planning for Town Centres
PPS9 Biodiversity and Geological Conservation
PPG 13 Transport
PPG 17 Planning for Open Space, Sport and Recreation

Supplementary Planning Guidance
New Alresford Town Design Statement

Planning Considerations

Principle of development

The principle of development is acceptable. The proposed extension to the footpath is considered to improve a newly established public facility and accords with the policies within the adopted Local Plan.

The new footpath extension will provide a safer route for all pedestrians to the school and associated community facilities and facilities / shops within the town centre. The footpath extension will not fundamentally alter the existing footpath provision and will not significantly impact upon the amenity of the occupants of nearby properties within the Bridge Road area. The extension will create a safer route for pedestrians, who will walk on the footpath rather than the track.

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Design/layout

The design, layout and location of the proposed footpath extension are all considered to be acceptable. The proposal occupies a thin strip of land adjacent to the southern boundary of the school playing field. The path has been sited so that it will not harm the established hedgerow to the south.

A cutting will be made through the hedgerow to join a new access with the lane. Hampshire County Council's Ecologist has examined the proposal and considers that the removal of a section of hedge will not harm wildlife / ecological interests. The existing stopping up of the disused entrance with a native species of hedgerow is also considered to be acceptable. It is intended that all of the surrounding hedging will remain in place; this is important because the hedging informs the semi-rural character of the lane and offers good screening / softening of views of the school playing fields.

The path is designed so that it will drain naturally into the adjacent grassed areas.

Impact on character of area and neighbouring property

The proposed footpath extension and associated lamp posts will not significantly alter the semi-rural character of the residential area, due to the low key nature of the development and the existence of hedging on the southern boundary.

The location of the proposed lamp posts is considered to be acceptable. The posts will match the existing 4m. high posts, with cowlings to divert light down onto the playing field. The nearest lamp post to the rear elevation of the dwellings on Bridge Road is 45m. away; this distance is considered to be acceptable and will not result in excessive direct light pollution.

Local neighbours have expressed concerns that the relocated entrance / exit, which is closer to the properties on Bridge Road, will represent a security hazard to nearby dwellings, as people may congregate within the area and act anti-socially. It is considered that this does not provide sufficient justification for refusal, because there is no clear evidence to suggest that this will happen as a result of the extended path and new entrance. Furthermore, anti-social behaviour could take place within the area at the current time. The Police have raised no objection to this application.

Landscape/Trees

The proposal has been revised, at the suggestion of the Landscape Officer, so that the footpath is set back by an additional metre from the hedge boundary, to ensure that it is not harmed.

The provision of a new break through the hedgerow will inevitably result in a loss of vegetation. However, large amounts of vegetation will remain and the hedgerow is of no particular historic, wider landscape or ecological interest. It is proposed to re-plant the disused entrance / exit with native planting (see Condition 2).

Highways/Parking

The Highways Officer has reviewed the proposal and considers that, because the

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footpath extension will result in less pedestrian usage of the lane (which is shared by cars and pedestrians), the scheme represents a benefit in highway safety terms.

Recommendation

Application Permitted, subject to the following conditions:

Conditions

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

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

2. The gap in the hedge left from the existing access, which it is proposed to remove, shall be sealed with additional planting of native hedging / trees, the species of which will be agreed in writing with the Local Planning Authority prior to the commencement of development. Once agreed, the approved details shall be fully adhered to, unless otherwise agreed in writing by the Local Planning Authority. The planting shall take place within 6 months of the completion of the footpath or at the time of completion, unless otherwise agreed in writing by the Local Planning Authority. Should any of the infilling planting become deceased, die or be removed within 5 years of the date of this permission, it shall be replaced within the next planting season.

Temporary protective fencing shall be erected to protect the infilling planting until the planting has become established, and to ensure that the sealed access is not useable.

Reason: To ensure that the previous entrance / exit is sealed. To ensure that the visual amenity of local residents and persons using the adjacent track is not harmed.

3. 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), have 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.

4. No hedge / shrub removal, other than that shown on the approved plans, shall take place unless otherwise agreed in writing by the Local Planning Authority. Hedge and shrub removal shall not take place between the months of March to August, unless otherwise agreed in writing by the Local Planning Authority.

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Reason: In the interests of visual and residential amenity and in the interests of breeding birds that may use the hedgerow as a place to breed.

5. The proposed lighting shall be erected in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to ensure a high standard of development.

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:
DP1, DP3, DP4, DP10, SF6, RT2, RT7, T3, T8

South East Plan 2009:
CC6

3. No materials should be burnt on site. Where the Health and Housing Service substantiates allegations of statutory nuisance, an Abatement Notice may be served under the Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under the Clean Air Act 1993.

4. All works, including demolition and construction, should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300 Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. The applicant should note that the application is determined upon the basis of the revised plans, i.e. Drawing No. 70050019/403A.