

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**16 February 2010**

Attendance:

Councillors:

Jeffs (Chairman) (P)

Baxter (P)

Bell (P)

Busher (P)

Evans (P)

Fall

Huxstep (P)

Johnston (P)

Lipscomb

Ruffell (P)

Tait (P)

Deputy Member:

Councillor Berry (Standing Deputy for Councillor Lipscomb)

Councillor Pearce (Standing Deputy for Councillor Fall)

Others in attendance who did not address the meeting:

Councillor Beckett

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1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 28 January 2010, be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

[\(Report PDC843 refers\)](#)

The schedule of development control decisions arising from the consideration of the above Report is circulated separately and forms an appendix to the minutes.

By way of a personal statement, Councillor Bell explained that she had predetermined Item 4. Councillor Bell therefore withdrew from the Committee for that item and, having made representations during public participation, sat in the public gallery during the subsequent discussion.

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

Item 1: Recreation Ground, Texas Drive, Olivers Battery – Case Number 09/02312/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, further objections to the scheme had been received. These raised matters already addressed in the Report, relating to Policy L6 of the Olivers Battery Village Design Statement.

Mr Sanderson spoke against the application.

Following debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) set out in the Report. In addition to those conditions, and arising from debate, the Committee agreed to delegate authority to the Head of Planning Management (in consultation with the Chairman) to agree wording of a further condition to ensure that applicant included a facility for safe cycle storage on the site.

Item 2: Hazeldene, Rareridge Lane, Bishops Waltham – Case Number 09/02474/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, two further letters of objection to the scheme had been received. These raised highways and access concerns, pressure on services and that the proposal was an overdevelopment of the site and out of character with the area.

Messrs Bellfield, Haines and Butt spoke against the application.

Following debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) set out in the Report. In addition to those conditions, and arising from debate, the Committee agreed to delegate authority to the Head of Planning Management (in consultation with the Chairman) to agree wording of an additional condition to ensure that the residential areas of hard-standing were permeable (to prevent rainwater run-off) and additional informatives to remind the applicant of the limitations regarding on-site burning and construction hours.

Item 3: Little Orchard, Winchester Road, Bishops Waltham – Case Number 09/02015/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, the Council's tree officer retained concerns regarding the appropriateness of some of the trees proposed by the applicant. However, it was explained that this could be adequately addressed through condition 7, which required the submission and approval of a detailed landscape scheme.

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

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

those set out in the Report, the Committee agreed with the Head of Planning Management's recommendation that further informatives be added to remind the applicant of the limitations regarding on-site burning and construction hours. Furthermore, the Committee also agreed to include a further condition to ensure that the residential areas of hard-standing were permeable so as to minimise rainwater run-off. The detailed wording was delegated to the Head of Planning Management in consultation with the Chairman.

Item 4: The Lynchets, Hurdle Way, Compton Down – Case Number 09/01410/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, a further representation had been received from Compton and Shawford Parish Council. In summary, this referred the Committee to paragraph L3 of the Compton Down Local Area Design Statement regarding the proposed frontage.

Mr Bell (Compton and Shawford Parish Council) and Councillor Bell (a Ward Member) spoke against the application.

In summary, Councillor Bell reiterated the importance of the Parish Council's Local Area Design Statement, which she considered this application to contravene in terms of scale of development, architectural treatment, the specific constraints on Hurdle Way and the treatment of frontage areas and entrances.

Councillor Bell also commented on the setting of the application site; explaining that it was on single track lane, where the only opportunities to pass or turn around were at the entrances of individual properties.

Councillor Bell added that the existing building, which the applicant proposed to demolish, was an attractive house in a beautiful setting, which could only be glimpsed from the lane; a description she considered could not be applied to the proposed building. She explained that the previous application to re-develop the site had been refused because of its mass and scale and the incongruousness of the proposed walls, pillars and gates. However, she considered that the current application had made only minor concessions to those criticisms. The height and width of the proposed building was only marginally less than the refused application and the incongruous pillars and gates remained, resulting in the loss of the open frontage.

In conclusion, Councillor Bell recommended that the Committee refuse the application as it dominated, rather than embraced, its surroundings and also as it reinforced a trend for gated mansions in the area.

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 2 March 2010. This was because Members did not consider it possible to determine the application without first visiting the site to assess the proposed size and design of the application in the context of its setting and the neighbouring properties. The Committee also

requested that the footprint of the proposed building be pegged out to assist the Sub-Committee on site.

Item 5: Stillwaters House, Avington Lane, Avington – Case Number 09/01626/FUL

This item had been deferred from the previous meeting of the Committee (held 28 January 2010) at the request of the Head of Planning Management in order to carry out further consultation. However, the Head of Planning Management reported that it was necessary to defer the item yet again, because following consultation with Natural England, some concerns had been raised which needed to be addressed by the applicant.

Item 6: Wimborne, Uplands Road, Denmead – Case Number 09/01753/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, further representations had been received from Denmead Parish Council and Councillor Stallard (a Ward Member). Both objected to the application as they considered it to contravene Policies DP3 (ii), (vii) and DP10 of the Local Plan. The Committee noted the detailed comments of both of these representations.

Mrs Holden (a neighbour) spoke in objection to the application.

At the conclusion of debate, the Committee did not support the recommendation set out in the Report and instead agreed to refuse planning permission, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the detailed wording of the reasons for refusal as decided by the Committee. The Committee refused planning permission because it considered that the development was contrary to Policy DP.3 (ii) of the Winchester District Local Plan Review, in that the provision of a raised terrace with associate spa/pool and fencing would result in unacceptable effect to the amenities of the occupiers of the adjoining dwelling 'Guelder Cottage' as a result of noise disturbance from the spa in terms of the associated plant equipment, and the use of the spa/pool. Furthermore, the Committee refused the application because of the proximity of the development in relation to the eastern boundary which resulted in an overbearing impact.

RESOLVED:

1. That the decisions taken on the Development Control Applications, as set out in the Schedule which forms an appendix to the minutes, be agreed.
2. That, in respect of Item 1 (Recreation Ground, Texas Drive, Olivers Battery), the application be granted, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to include an additional condition to ensure that applicant included a facility for safe cycle storage on the site.

3. That, in respect of Item 2 (Hazeldene, Rareridge Lane, Bishops Waltham) planning permission be granted, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to include an additional condition to ensure that the residential areas of hard-standing were permeable (to prevent rainwater run-off) and additional informatives to remind the applicant of the limitations regarding on-site burning and construction hours.

4. That, in respect of Item 3 (Little Orchard, Winchester Road, Bishops Waltham) planning permission be granted, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to include an additional condition to ensure that the residential areas of hard-standing were permeable (to prevent rainwater run-off) and additional informatives to remind the applicant of the limitations regarding on-site burning and construction hours.

5. That, in respect of Item 4 (The Lynchets, Hurdle Way, Compton Down) planning permission be referred to the Planning Development Control (Viewing) Sub-Committee for determination at its meeting to be held on 2 March 2010.

6. That, in respect of Item 5 (Stillwaters House, Avington Lane, Avington), the application be deferred.

7. That, in respect of Item 6 (Wimborne, Uplands Road, Denmead) the recommendation set out in the Report not be supported and instead the Committee agreed to refuse planning permission, with authority being delegated to the Head of Planning Management (in consultation with the Chairman) to agree the detailed wording of the reasons for refusal as decided by the Committee. The Committee refused planning permission because it considered that the development was contrary to Policy DP.3 (ii) of the Winchester District Local Plan Review, in that the provision of a raised terrace with associate spa/pool and fencing would result in unacceptable effect to the amenities of the occupiers of the adjoining dwelling 'Guelder Cottage' as a result of noise disturbance from the spa in terms of the associated plant equipment, and the use of the spa/pool. Furthermore, the Committee refused the application because of the proximity of the development in relation to the eastern boundary which resulted in an overbearing impact.

8. **CONFIRMATION OF TREE PRESERVATION ORDER 1970 – LAND AT 3 NEW COTTAGES, BIGHTON**  
[\(Report PDC842 refers\)](#)

The Chairman (Councillor Jeffs) declared a personal (but not prejudicial) interest in this item as he was acquainted with the neighbours of the adjacent site. Councillor Jeffs spoke and voted thereon.

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 1970 be confirmed.

9. **CONFIRMATION OF TREE PRESERVATION ORDER 1981 – LAND AT 9 BRICKMAKERS ROAD, COLDEN COMMON**  
[\(Report PDC841 refers\)](#)

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 1981 be confirmed.

The meeting commenced at 9.30am and concluded at 2.10pm.

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

**DECISIONS**

**16.02.2010**

PART II DEVELOPMENT CONTROL APPLICATIONS  
AND DECISIONS THEREON

**Olivers Battery**

**Ward**

**Olivers Battery And Badger Farm**

**1 Conservation**

**Area:**

**Case No:** 09/02312/FUL

**Ref No:** W00001/04

**Date Valid:** 10 November 2009

**Grid Ref:** 445918 127202

**Team:** WEST

**Case Officer:** Mr James Jenkison

**Applicant:** Mr Bernard Quartly

**Proposal:** Construction of a multi use games area and tennis court including fencing and 3m high practice wall and landscaping (RESUBMISSION)

**Location:** Recreation Ground, Texas Drive, Olivers Battery, Hampshire

**Officer** PER

**Recommendation**

:

**Committee Decision:**

**APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-**

Permitted as set out in the report subject to an additional condition requiring details of the provision of cycle parking.

**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 ballwall, mesh fencing and hard surface areas 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.

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

3 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development



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

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

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

5 Prior to work commencing on the site a drainage system for the disposal of surface water shall be first submitted to and approved in writing by the Local Planning Authority. The drainage system as approved shall be fully implemented prior to the hard surface areas being brought into use.

Reason: to ensure the proposal is adequately drained.

6 No development or site preparation prior to operations shall take place until a site and construction management plan has been first submitted to and approved in writing by the Local Planning Authority. The plan shall detail measures to protect trees on the site from soil compaction and activity associated with construction works. Development shall be undertaken in accordance with the approved construction management plan.

Reason: To protect the amenities of the locality and trees and landscaping on the recreation ground which will form an important visual screen of the development.

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

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

8 No development shall take place until details have been submitted to and approved in writing by the local planning authority regarding the provision of cycle parking at the site. The development shall be carried out in accordance with the approved details and thereafter retained.

Reason: To ensure satisfactory provision of cycle parking which will arise as a result of this development.

## 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:-

Oliver's battery Village Design Statement: L1, L4, L5, LR1, LR2, LR3.

Winchester District Local Plan Review 2006: DP3, DP4, CE2, CE3, HE1, RT5, RT8.

South East Plan 2009: S1, S5

**Bishops Waltham**

**Ward**

**Bishops Waltham**

**2**

### **Conservation**

**Area:**

**Case No:** 09/02474/FUL

**Ref No:** W05135/05

**Date Valid:** 21 December 2009

**Grid Ref:** 456250 117669

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

**Applicant:** Mapledean Developments Ltd

**Proposal:** Residential development to provide 8 new dwelling houses with associated garages and car parking and formation of new access from Rareridge Lane (RESUBMISSION)

**Location:** Hazeldene, Rareridge Lane, Bishops Waltham, Southampton, Hampshire, SO32 1DX

**Officer** PER

**Recommendation**

:

**Committee Decision:**

**APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-**

Permitted as set out in the report subject to additional condition relating to permeable surfacing and informative's relating to hours of construction and that no burning shall be undertaken.

## 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 materials to be used on the external finishes of the development hereby approved shall be as set out in the materials schedule submitted as part of this planning application unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

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

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

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

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

5 In this condition, "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars to be submitted with this planning application and including trees annotated T1-T21 (excluding T16-T19) in the Arboricultural Impact Study by Dermot Cox submitted with this planning application.

a) No existing boundary hedgerow planting or retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree or boundary hedgerow be topped or lopped other than in accordance with the approved plans and particulars, without

the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998.

b) If any tree or hedgerow planting is removed, uprooted or destroyed or dies, another tree/hedgerow planting shall be planted at the same place and that tree/hedgerow planting shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree and hedgerows shall be undertaken in accordance with British Standard 5837:2005 before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the protection of trees and hedgerows which are to be retained.

6 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.

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

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

9 No dwelling erected on the land shall be occupied until the roads and footways have been laid out and made up in accordance with a programme, specifications and details to be first approved in writing by the Local Planning Authority.

Reason: To ensure that the roads and footways are constructed to a satisfactory standard.

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

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

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

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

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

NB: The scheme to be submitted for approval should be prepared in consultation with Southern water and should incorporate measures such as water butts.

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

13 The windows at 1st floor level in the elevations or roof slopes of the dwellings/garage on the plots of the approved plans listed below and hereby permitted shall be glazed in obscure glass and thereafter retained.

(i) west elevation of the dwelling on Plot 8 (facing No. 12 Byron Close).

(ii) en-suite window of the south elevation of the dwelling on Plot 8.

(iii) en-suite window of the west elevation of the dwelling on Plot 1 (facing No.12 Byron Close).

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

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows, and no enlargement of the windows expressly authorised by this permission shall, at any time, be constructed above ground floor level in the elevations listed below:

- (i) all walls and roofs in the west side elevation of the garage office on Plot 8 (facing No. 12 Byron Close).
- (ii) west elevation of the dwelling on Plot 8 (facing No.12 Byron Close).
- (iii) north side elevation of the building comprising Dwellings/Plots 8-10.

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

15 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.

16 The development shall be carried out using permeable surfacing, which shall thereafter be retained. Any replacement surfacing shall be undertaken using permeable surfacing materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate surface water drainage of the site and to promote sustainable forms of drainage.

### **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: CC6

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP5, DP9, H3, H5, H7, RT4, T3, T4, T5

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

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

Should you require further information please contact the Environmental Health Department.

**Bishops Waltham**

**Ward**

**Bishops Waltham**

**3**

**Conservation**

**Area:**

**Case No:** 09/02015/FUL

**Ref No:** W06784/04

**Date Valid:** 6 October 2009

**Grid Ref:** 454377 117850

**Team:** WEST

**Case Officer:** Nick Parker

**Applicant:** Mr Stephen Bowden

**Proposal:** Demolition of existing dwelling and erection of 3 No. two bedroom terraced houses and 2 No. four bedroom semi-detached houses with 10 car parking spaces and access

**Location:** Little Orchard, Winchester Road, Bishops Waltham, Southampton, Hampshire, SO32 1BW

**Officer** PER

**Recommendation**

:

**Committee Decision:**

**APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-**

Permitted as set out in the report subject to additional condition relating to permeable surfacing and informative's relating to hours of construction and that no burning shall be undertaken.

## Conditions/Reasons

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

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

2 No development shall take place until details and samples of the materials to be used for the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3 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.

4 The parking spaces shown hatched red on drawing number 07-1390-110 Rev P5 dated August 2009 shall be retained and made available for parking purposes at all times to all residents and visitors for plots 1-3 of the development hereby permitted with no physical or legal restriction on who may use such spaces. The remaining car parking spaces shall be allocated to plots 4 and 5 of the development hereby permitted and retained for car parking purposes in perpetuity.

Reason: To ensure that adequate parking spaces are retained for the development (in accordance with Winchester City Council's Supplementary Planning Document Residential Parking Standards December 2009) in the interests of highway safety.

5 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 4.5 metres from the highway boundary.

Reason: In the interests of highway safety.

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

- (a) existing and proposed finished levels or contours:
- (b) means of enclosure, including any retaining structures:



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

Soft landscape details shall include the following as relevant:

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

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

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

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

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

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

9 Detailed proposals for the disposal of foul and surface water, including any surface water Sustainable Drainage System, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the

development hereby permitted. The approved details shall be fully implemented before the development is occupied.

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

10 Prior to the commencement of development the applicant or their agents or successors in title shall ensure that a detailed ecological investigation and survey of the site at an appropriate time of year is undertaken to ensure that no protected species are present on the site in accordance with the submitted bat and bird assessment compiled by Adonis Ecology dated 23rd May 2008. The findings of such survey work shall be submitted to the Local Planning Authority for consideration together with a scheme of mitigation and programme for implementation of such measures. The development shall be undertaken in adherence with an approved landscaping, native planting and ecological enhancement scheme. Such a scheme shall demonstrate that habitat; connectivity and the site have been enhanced for biodiversity in line with PPS9 and include features such as bird and bat boxes. Any site clearance of trees or scrub should be undertaken outside of the bird breeding season. The approval in writing of the LPA shall be obtained before any work is commenced and the approved details shall be fully implemented as approved before the dwellings are occupied.

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

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no first floor windows other than those expressly authorised by this permission shall, at any time, be constructed in the west elevations of plots 1 and 4 of the development hereby permitted as shown on drawing number 07-1390-110 REV P5 dated August 2009.

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

12 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.

13 The first floor bathroom window(s) in the west elevation of plot 4 hereby permitted shall be glazed in obscure glass and thereafter retained.

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

14 The development hereby permitted shall be implemented in accordance with the approved Arboricultural Method Statement compiled by Barrell Tree Consultancy dated December 2008 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect on-site and off-site trees in the interests of the visual amenity of the area.

15 The development shall be carried out using permeable surfacing, which shall thereafter be retained. Any replacement surfacing shall be undertaken using permeable surfacing materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure surface water drains away in a sustainable manner.

16 The development shall be carried out using permeable surfacing, which shall thereafter be retained. Any replacement surfacing shall be undertaken using permeable surfacing materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure surface water drains away.

### **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  
Policies – SP.3, CC.4, CC.6

Winchester District Local Plan Review  
Policies - H3, H7, DP3, DP4, DP9, RT4, T2, T3, T4 and T5

National Planning Policy Guidance/Statements:  
PPS 1 Delivering Sustainable Development  
PPS 3 Housing  
PPS 9 Biodiversity and Geological Conservation  
PPG 13 Transport

3. 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 recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

4. No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, 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.

**Compton And Shawford**

**Ward**

**Compton And Otterbourne**

**4 Conservation**

**Area:**

**Case No:** 09/01410/FUL

**Ref No:** W10461/05

**Date Valid:** 16 July 2009

**Grid Ref:** 446463 125292

**Team:** WEST

**Case Officer:** Mr Simon Avery

**Applicant:** Mr T J Nuttall

**Proposal:** Demolition of existing dwelling and erection of 6 bed detached dwelling with outbuildings new boundary fence and entrance gate (RESUBMISSION)

**Location:** The Lynchets, Hurdle Way, Compton Down, Winchester, Hampshire, SO21 2AN

**Officer:** PER

**Recommendation**

:

**Committee Decision:**

DEFERRED for consideration by Planning Viewing Sub Committee - 2nd March 2010

**Itchen Valley**

**Ward**

**Itchen Valley**

- 5 Conservation Area:** Avington Conservation Area  
**Case No:** 09/01626/FUL  
**Ref No:** W02331/08  
**Date Valid:** 2 September 2009  
**Grid Ref:** 453661 132518  
**Team:** EAST **Case Officer:** Mr Andrew Rushmer  
**Applicant:** Mr Robert West  
**Proposal:** Installation of an Archimedean Screw hydroelectricity generation (additional information received 21/10/2009 giving more information concerning flow-rates and the ecological impact of the proposal).

**Location:** Stillwaters House, Avington Lane, Avington, Winchester, Hampshire, SO21 1DE

**Officer** PER

**Recommendation**

:

**Committee Decision:**

DEFERRED - to carry out further consultation

**Denmead Ward Denmead**

**6 Conservation**

**Area:**

**Case No:** 09/01753/FUL

**Ref No:** W10131/02

**Date Valid:** 28 August 2009

**Grid Ref:** 464545 112831

**Team:** EAST **Case Officer:** Mr Andrew Rushmer

**Applicant:** Mr Adrian Clements

**Proposal:** Modifications and extension to existing rear terrace (part retrospective) (amended plans received 17.11.2009 showing 1.8 metre close boarded fence running along the side of the terrace).

**Location:** Wimborne Uplands Road Denmead Waterlooville Hampshire  
PO7 6HF

**Officer** PER

**Recommendation**

:

**Committee Decision:**

**Recommendation overturned:**

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

**Conditions/Reasons**

1 The development is contrary to policies DP.3(ii) of the Winchester District Local Plan Review in that the provision of a raised terrace with associated spa pool and fencing would result in unacceptable effect to the amenities of the occupiers of the adjoining dwelling 'Guelder Cottage' as a result of noise disturbance from the spa in terms of the associated plant equipment, and the use of the spa/pool and the proximity of the development in relation to the eastern boundary which results in an overbearing impact.

**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  
South East Plan 2009: BE1  
Denmead Village Design Statement

**The Alresfords**

**Ward**

**The Alresfords**

**PDC  
842 Conservation  
Area:**

**Case No:** TPO 1970

**Ref No:**

**Date Valid:**

**Grid Ref:**

**Team:** LANDSCAPE **Case Officer:** Ivan Gurdler

**Applicant:**

**Proposal:**

**Location:** No 3 New Cottages, Bighton

**Officer** Confirm TPO

**Recommendation**

:

**Committee Decision:**

**TPO 1970 CONFIRMED**

**Colden Common and Twyford**

**Ward**

**Colden Common and Twyford**

**PDC  
841 Conservation  
Area:**

**Case No:** TPO 1981

**Ref No:**

**Date Valid:**

**Grid Ref:**

**Team:** LANDSCAPE **Case Officer:** Ivan Gurdler

**Applicant:**

**Proposal:**

**Location:** 9 Brickmakers Road, Colden Common

**Officer** Confirm TPO

**Recommendation**

:

**Committee Decision:**

**TPO 1981 CONFIRMED**

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