

PLANNING DEVELOPMENT CONTROL COMMITTEE

17 June 2010

Attendance:

Councillors:

Johnston (Chairman) (P)

Barratt (P)
Evans (P)
Fall (P)
Pearce

Huxstep (P)
Jeffs (P)
Lipscomb (P)
Tait (P)

Deputy Members:

Councillor Mitchell (Standing Deputy for Councillor Pearce)

Others in attendance who addressed the meeting:

Councillor Verney

Others in attendance who did not address the meeting:

Councillor Bell

1. **APPOINTMENT OF VICE-CHAIRMAN FOR THE MEETING**

RESOLVED:

That, in the absence of Councillor Pearce, Councillor Mitchell be appointed as Vice-Chairman of the Committee for this meeting only.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 27 May 2010, be approved and adopted.

3. **DEVELOPMENT CONTROL SCHEDULE**
[\(Report PDC858 refers\)](#)

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

Item 1: Freemans Yard, School Lane, Cheriton – Case Number 09/02590/FUL

Mr Scott and Mr Geoffs (representing Cheriton Parish Council) spoke against the proposals and Mr Larkin and Ms Beeson spoke in support.

Councillor Verney (Ward Member) also spoke against the application.

In summary, Councillor Verney advised that although this latest application was generally an improvement on the previously approved scheme, he was concerned that it no longer proposed mixed-use development for the site. He suggested that just housing development at the site could contribute to Cheriton becoming a dormitory village. Councillor Verney provided evidence of other successful low level industrial employment facilities in the vicinity. He also stated that provision of offices and light industrial units etc could also assist in over-spill parking in Cheriton, especially from the new housing.

In response, the Head of Planning Management drew attention to the narrow access route to the site that was unsuitable for the regular use of larger vehicles. There could be no control of the movement of these vehicles to and from the site, which would be more prevalent should there be mixed development of the site. Furthermore, it was likely that vans and lorries would be in conflict with the residential development and with the adjacent school and could have a negative impact on road safety, particularly for pedestrians.

The Committee was also reminded that the viability of the previously approved scheme had been compromised by a need to decontaminate the site. The Head of Estates advised Members on other economic reasons why mixed-use development of the site would not be viable.

The Head of Planning Management advised that, since publication of the Report, point two of the Recommendation to approve the application relating to provisions of the Section 106 Agreement be modified to read:

‘The provision of a minimum of 5 units of affordable housing with a review of the financial situation, prior to commencement of the development, to determine whether the scheme is capable of meeting the full requirement of 30 percent affordable housing at that time in accordance with Policy H.5 of the adopted Local Plan. Provision to be made for 30 percent affordable housing in the event that the review establishes that the development can meet this level of provision.’

The Head of Planning Management also suggested that an additional condition be added to ensure the flint and brickwork proposed in the construction of plot 5 be implemented, in accordance with an approved amended drawing. A further condition should also specify that no development should take place at the site until details of the proposed garden levels of each house and the corresponding ground floor slab levels of the dwellings was submitted for approval.

The Committee agreed to these changes and to a further request that condition 3 be revised whereby the applicant be required to submit additional elements of detailing of building materials.

During discussion, the Committee referred to provision of affordable housing at the site. It was agreed that the variation to the Section 106 (as described above) be further amended, as proposed by the Head of Legal Services, to give additional flexibility to ensure that the maximum possible numbers of affordable housing was achieved at the site.

Members also agreed that Point 6 of the Recommendation to approve the application that related to provisions of the Section 106 Agreement should be modified. This should specify that there be an option to transfer the public open space within the site to the City or Parish Council, subject to agreement for its maintenance in perpetuity.

The Committee also agreed that additional conditions be added to ensure elements of sustainability in the design of the buildings and for the control of external lighting. Also, to ensure the safety of children, it was agreed that Condition 4 be modified to require the submission and approval of any safety fence or landscaping treatment of the pond area of the site. Members also noted that three dwellings had been designed with space for the owners to work at home and it was also agreed that the use of this space for that purpose be conditioned.

Members noted that the widening of the access road to the site would necessitate the removal of the original 'Freeman's Yard' sign. Due to the importance of the former use of the yard in the history of the village, it was agreed that an Informative be added whereby the applicant would explore with the Parish Council and residents whether they wished the sign to be retained and if so, where it should be relocated.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions and legal agreement, as amended) as set out in the Report and referred to above.

Item 2: Ramblers, 2 Park Lane, Abbots Worthy, Winchester – Case Number 10/00133/FUL

Mr Gordon (representing King Worthy Parish Council) spoke against the proposals and Mr Hawkins (applicant) spoke in support.

The Head of Planning Management advised that, since publication of the Report, it had been ascertained that the proposals were located within the South Down National Park. Officers considered that the proposal did not prejudice the aims of the Park, as the visual and other impacts would be limited and acceptable for the reasons set out in the Report.

The Head of Planning Management also reported that to date, no comments had been received from Southern Water with regard to the diversion of the public sewer. Therefore, it was agreed the Council should only proceed to

issue any planning permission subject to no adverse comments from Southern Water being received.

The Committee also supported a request for an additional condition for the removal of permitted development rights at the site.

During discussion, Members agreed that permanent external lighting at the site would be likely to have a negative impact on the character of the Conservation Area. A condition to restrict this should therefore be included. It was also agreed that an informative should be added with regard to the developer's working hours.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) as set out in the Report and referred to above.

Item 3: 12 Devenish Road Winchester – Case Number 10/00037/FUL (Retrospective)

The Committee noted that this proposal was for retrospective planning permission for the construction of a single storey front porch, with ramp. Item 4 below was for the insertion of three velux type windows in the front roof slope of the same property.

Mr Lamb (applicant) spoke in support.

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

Item 4: 12 Devenish Road, Winchester – Case Number 10/00038/FUL

Mr Lamb (applicant) spoke in support.

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

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 (Freemans Yard, School Lane, Cheriton) planning permission be granted for the reasons (and subject to the conditions) in the Report and additional conditions, variation to the legal agreement requirements and Informatives (with exact wording delegated to the Head of Planning Management, in consultation with the Chairman) as follows:

- (i) An additional condition to ensure the flint and brickwork proposed in the construction of Plot 5 be implemented in accordance with an approved amended drawing.
- (ii) An additional condition to specify that no development should take place at the site until details of the proposed garden levels of each house and the corresponding ground floor slab levels of the dwellings was submitted for approval.
- (iii) That Condition 3 be revised whereby the applicant be required to submit additional elements of detailing of building materials.
- (iv) That the Section 106, with regard to the provision of affordable housing, be further varied to give additional flexibility to ensure that the maximum possible affordable housing was achieved at the site.
- (v) That Point 6 of the Recommendation to approve the application that related to provisions of the Section 106 Agreement be modified to specify that there be an option to transfer the public open space within the site to Winchester City Council or Cheriton Parish Council, subject to agreement for its maintenance in perpetuity.
- (vi) That additional conditions be added to ensure elements of sustainability in the design of the buildings and for the control of external lighting.
- (vii) That Condition 4 be modified to ensure detailing of any safety fence or landscaping of the pond area of the site be provided and agreed by the Council before the commencement of the development
- (viii) That a further condition be added to ensure that the space provided in three dwellings for the owners to work at home be used only for that purpose in perpetuity.
- (ix) That an Informative be added whereby the applicant would explore with the Parish Council and residents with regard to the possible retention and/or relocation of the original 'Freeman's Yard' sign.

3. That in respect of Item 2 (Ramblers, 2 Park Lane, Abbots Worthy), planning permission be granted for the reasons (and subject to the conditions) in the Report and additional conditions and Informative (with exact wording delegated to the Head of Planning Management, in consultation with the Chairman) as follows:

- (i) That the application be approved subject to no adverse comments from Southern Water being received.
- (ii) That an additional condition be added for the removal of permitted development rights.
- (iii) That due to the likelihood that permanent external lighting at the site would have a negative impact on the character of the Conservation Area, an additional condition be added to restrict this.

(iv) That an informative be added with regard to the developer's working hours.

4. **MINUTES OF PLANNING DEVELOPMENT CONTROL (VIEWING) SUB COMMITTEE HELD 18 MAY 2010**
[\(Report PDC860 refers\)](#)

The Committee received the minutes of the Planning Development Control (Viewing) Sub-Committee, held on 18 May 2010, (attached as Appendix A to the minutes) which determined an application at the 16 Fox Lane, Winchester.

RESOLVED:

That the minutes of the Planning Development Control (Viewing) Sub-Committee held 18 May 2010 be received.

5. **STUDENT ACCOMMODATION, QUEENS ROAD, WINCHESTER – CURRENT POSITION**
[\(Report PDC859 refers\)](#)

Mrs Dudgeon (resident) and Miss Trinder (applicant) spoke with regard to the item.

The Head of Planning Management reminded the Committee of the matters relating to the omission of privacy louvers on the southern elevation of blocks 4 and 7 of the student accommodation that faced Milnthorpe Lane. The applicant's installation of 'Brise Soleil' to the southern elevation windows had been intended to shield rooms from solar gain, and not intended to restrict outlook to neighbouring properties.

It was explained that the applicant had believed that they had complied with the terms of the planning permission, as the previous drawings submitted that included the louvers had not been referred to in the approved plans list. However, as condition 2 of the permission had stated that details of louvers should be submitted for approval, the failure of the applicant to meet this requirement of condition 2 amounted to a breach of planning control. As a consequence, negotiations with the applicant had sought a solution that was acceptable to all, including for those residents most concerned with the impact of the development.

The Head of Planning Management advised that further to this, it had been indicated in a structural engineer's letter submitted to the Council, that the timber frame construction of the building would be unable to support the wind loading forces on the louvers as originally envisaged.

Some Members of the Committee had visited the site the previous day and observed two potential solutions proposed by the applicant that would protect the privacy of neighbours and restrict light emissions, in a similar way to what would have been achieved by the louvers. These were for either wood slatted louvers to be placed internally against the windows, or for opaque film applied externally to the windows. Both could be fitted by the applicant retrospectively

-) Information which reveals
-) that the authority proposes:
-) (a) to give under any
-) enactment a notice under or
-) by virtue of which
-) requirements are imposed on
-) a person; or
-) (b) to make an order or
-) direction under any
-) enactment.
-) (Para 6 Schedule 12A refers)
-)

7. **STUDENT ACCOMMODATION, QUEENS ROAD, WINCHESTER –
CURRENT POSITION – LEGAL ADVICE**
(Report PDC859 refers)

The Head of Legal Services provided the Committee with legal advice with regard to the Council's position, should it be minded to not accept the developers suggested solution to mitigate the effect resulting from the developers failure to fit louvers as originally proposed, and therefore that the Council should progress with legal action due to breach of condition 2.

RESOLVED:

That the legal advice given be noted

The meeting commenced at 9.30am, adjourned at 1.55pm, reconvened at 1.45pm and concluded at 4pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

DECISIONS

17.06.2010

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Cheriton

Ward

Cheriton And Bishops Sutton

- 01 Conservation** Cheriton - Boundary amendments December 1998 Published
Area: February 1998
Case No: 09/02590/FUL
Ref No: W19471/01
Date Valid: 14 December 2009
Grid Ref: 458448 128609
Team: EAST **Case Officer:** Mr James Jenkison
Applicant: Desarex Properties Limited
Proposal: (AMENDED PLANS) Demolition of existing buildings and redevelopment to provide 19 no. dwellings comprising 3 two bedroom dwellings, 2 no. 3 bedroom, 12 no. 4 bedroom dwellings, 2 no. 5 bedroom dwellings; including 4 work at home dwellings; extension to school playground, public open space, associated landscaping, parking and access
Location: Freemans Yard, School Lane, Cheriton, Alresford, Hampshire SO24 0QA
Officer PER
Recommendation
:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

APPROVE – subject to a Section 106/Section 278 Agreement for:

- 1. A financial contribution of £25,000 towards highway improvements;**
- 2. The provision of a minimum of 5 units of affordable housing or such greater number of units together with any additional financial contribution to a maximum of 30% of all residential units or as then required by Policy H5 and as indicated by the further appraisal of financial viability to be completed by the Developer prior to commencement of development and which method of financial appraisal shall first be approved by the Council.**
- 3. The setting up of a management company to undertake the maintenance of the unadopted common areas comprising the access roads and footpaths, parking areas and garage forecourt, and the areas of amenity planting;**
- 4. The provision of a public footpath through the site and continuing eastwards to join the existing public footpath network.**
- 5. The provision, preparation, and laying out of the school play area extension and the dedication of such area to the County Council.**
- 6. The provision, preparation, and laying out of the school play area extension and the dedication of such area to the County Council.**

The provision, preparation (including any necessary measures to deal with contamination) seeding and laying out of the area of public open space for adoption

and thereafter its transfer without cost to the parish council or Winchester City Council as appropriate including any relevant maintenance sum.

7. A financial contribution of £23,899. towards the provision of public open space through the open space funding system;

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

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 (including window, door, rainwater goods and eaves details) 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 development commencing on the site fully annotated drawings at a scale of 1:20 or 1:50 to include typical details in respect of the following, window sections, eaves, fascias, porches, chimneys, gates, front door and garage doors shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved drawings prior to the occupation of dwellings on the site.

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

4 No development shall take place until details of both hard and soft landscape materials and specifications have been submitted to and approved in writing by the Local Planning Authority and works shall be carried out in accordance with the approved details prior to the occupation of the dwellings on the site (in the case of paving materials) or within the first planting and seeding season following the occupation of the first dwelling on the site or as otherwise agreed in writing by the Local Planning Authority. These details shall include the following, as relevant:

- paving materials including gravel, rumble stones, conservation kerbs, paving blocks, paving brick and paving slabs
- 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:
- implementation programme.
- Details of the means of enclosure, or alternative safety measures, to be provided for the proposed pond

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

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation of any dwelling on the site. Development shall be carried out in accordance with the approved details.

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

6 No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and include provision for the replacement of trees and planting that dies, is removed or becomes seriously damaged. Landscape maintenance shall be carried out in accordance with the approved schedule.

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

7 No dwellings erected on the land shall be occupied until the proposed parking spaces and accesses, driveways, footways and streets into and within the site, have been laid out and constructed in accordance with specifications and details to be first submitted to and approved in writing by the Local Planning Authority.

NOTE: A licence is required from Hampshire Highways Winchester, Central Depot, Bar End Road, Winchester, SO23 9NP prior to the commencement of access works.

Reason: To ensure satisfactory means of access and visual appearance to the site and to promote cycling and walking.

8 The garage and parking spaces hereby approved shall not be used for any other purpose than the parking of cars.

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

9 The dwellings and buildings hereby approved shall be constructed in accordance with the approved plans and details received on 30 April 2010 as listed below:

Job No. PL080802, Drg No: SL.01, Rev:H, Drawing title: Site Layout, drawn by ND, dated 04/10.

Job No. PL080802, Drg No: ML.01, Rev:H, Drawing title: Materials Layout, drawn by RDP, dated 04/10.

Job No. PL080802, Drg No: P4.e1, Rev:B, Drawing title: Plot 4 Front and side elevations, drawn by RDP, dated 04/2010.

Job No. PL080802, Drg No: P4.e2, Rev:B, Drawing title: Plot 4 Rear and side elevations, drawn by RDP, dated 04/2010.

Job No. PL080802, Drg No: P4.p1, Rev:B, Drawing title: Plot 4 Ground Floor Plan, drawn by KC, dated 04/10.

Job No. PL080802, Drg No: P4.p2, Rev:A, Drawing title: Plot 4 First Floor Plan, drawn by KC, dated 04/10.

Job No. PL080802, Drg No: WHU.01, Rev:B, Drawing title: Work at Home Unit Plans _ Elevations Plots 7 _ 12, drawn by ND, dated .

Job No. PL080802, Drg No: P15-19.e, Drawing title: Plots 15-19 Elevations, drawn by ND, dated 04/10.

Job No. PL080802, Drg No: P15-19.p, Drawing title: Plots 15-19 Floor Plans, drawn by ND, dated 04/10.

Job No. PL080802, Drg No: P1.e, Drawing title: Plot 1 Elevations, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P1.p, Drawing title: Plot 1 Floor Plans, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P2_3.e1, Drawing title: Plots 2 _ 3 Front _ Side Elevations, drawn by AG, dated 03.11.09

Job No. PL080802, Drg No: P2_3.e2, Drawing title: Plots 2 _ 3 Rear _ Side Elevations, drawn by AG, dated 03.11.09

Job No. PL080802, Drg No: P2_3.p1, Drawing title: Plots 2 _ 3 Ground Floor Plan, drawn by AG, dated 03.11.09

Job No. PL080802, Drg No: P2_3.p2, Drawing title: Plots 2 _ 3 First Floor Plan, drawn by AG, dated 03.11.09

Job No. PL080802, Drg No: P5.e1, Drawing title: Plot 5 Front _ Side Elevations, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P5.e2, Drawing title: Plot 5 Rear _ Side Elevations, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P5.p1, Drawing title: Plot 5 Ground and First Floor Plans, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P5.p2, Drawing title: Plot 5 Second Floor Plan, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P6.e, Drawing title: Plot 6 Elevations, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P6.p, Drawing title: Plot 6 Floor Plans, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P7_11.e1, Drawing title: Plots 7 _ 11 Front _ Side Elevations, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P7_11.e2, Drawing title: Plots 7 _ 11 Rear _ Side Elevations, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P7_11.p1, Drawing title: Plots 7 _ 11 Ground Floor Plans, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P7_11.p2, Drawing title: Plots 7 _ 11 First Floor Plans, drawn by ND, dated 03.11.09

Job No. PL080802, Drg No: P8_9.e1, Drawing title: Plots 8 _ 9 Front _ Side Elevations, drawn by ND, dated 25.11.09

Job No. PL080802, Drg No: P8_9.e2, Drawing title: Plots 8 _ 9 Rear _ Side Elevations, drawn by ND, dated 25.11.09

Job No. PL080802, Drg No: P8_9.p1, Drawing title: Plots 8 _ 9 Ground and First Floor Plans, drawn by ND, dated 25.11.09

Job No. PL080802, Drg No: P8_9.p2, Drawing title: Plots 8 _ 9 Second Floor Plans, drawn by ND, dated 25.11.09

Job No. PL080802, Drg No: P.10.e1, Drawing title: Plot 10 Front _ Side Elevations, drawn by RDP, dated 11/09

Job No. PL080802, Drg No: P.10.e2, Drawing title: Plot 10 Rear _ Side Elevations, drawn by RDP, dated 11/09

Job No. PL080802, Drg No: P.10.p1, Drawing title: Plot 10 Ground and First Floor Plans, drawn by RDP, dated 11/09

Job No. PL080802, Drg No: P.10.p2, Drawing title: Plot 10 Second Floor Plan, drawn by RDP, dated 11/09

Job No. PL080802, Drg No: P.12.e1, Drawing title: Plot 12 Front _ Side Elevations, drawn by KC, dated 11/09

Job No. PL080802, Drg No: P.12.e2, Drawing title: Plot 12 Rear _ Side Elevations, drawn by KC, dated 11/09

Job No. PL080802, Drg No: P.12.p1, Drawing title: Plot 12 Ground and First Floor Plans, drawn by KC, dated 11/09

Job No. PL080802, Drg No: P.12.p2, Drawing title: Plot 12 Second Floor Plan, drawn by KC, dated 11/09

Job No. PL080802, Drg No: P13_14.e1, Drawing title: Plots 13 _ 14 Front _ Side Elevations, drawn by RDP, dated 11.09

Job No. PL080802, Drg No: P13_14.e2, Drawing title: Plots 13 _ 14 Rear _ Side Elevations, drawn by RDP, dated 11.09

Job No. PL080802, Drg No: P13_14.p1, Drawing title: Plots 13 _ 14 Ground Floor Plan, drawn by RDP, dated 11.09

Job No. PL080802, Drg No: P13_14.p2, Drawing title: Plots 13 _ 14 First _ Second Floor Plans, drawn by RDP, dated 11.09

Reason: For the avoidance of doubt as to the scope of this permission.

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

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

11 Prior to work commencing on the site details for the provision of access points (or equivalent) for bats into the roofs of buildings of the proposed development hereby in accordance with Section 5.5 of the Ecological Phase 1 Habitat Survey prepared by DLA Ltd., Report Number: DLA1356/ECO/Phase1/rpt.1/November'09 dated September 2009 shall be submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved details prior to the occupation of any building on the site.

Reason: To ensure the scheme promotes habitat for local wildlife and achieves an appropriate level of bio-diversity enhancements.

12 Prior to work commencing on the site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details;

details of reptile protection during the construction period

Tree protection measure to be undertaken

Stages of development

Measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway.

Provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development.

Dust suppression, mitigation and avoidance measures.

Measures for minimising construction waste and provision for the re-use and recycling of materials which shall be used in the construction of the development.

Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.

A traffic management plan for construction vehicles entering and leaving the site, including times of movement so as to avoid peak period traffic.

Floodlighting and security lighting. (note: this must be directed in such a way as not to cause nuisance to adjoining properties, SSSI or adjacent highway).

Code of Construction Practice for all works and operations on the site.

Measure to be taken to prevent contaminants from entering watercourses or the water environment.

The Construction management plan shall be adhered to throughout the duration of the construction period.

Reason: To ensure that all work in relation to the application is undertaken in a sustainable manner and does not cause materially harmful effects on protected species and nearby properties and businesses.

13 The alteration to the boundary wall to the school shall be undertaken using the original materials or materials to exactly match the original materials and shall match the existing wall exactly in terms of the mortar and bond used.

Reason: In the interests of maintaining the character of the conservation area.

14 No work shall take place on site, including further demolition or alteration to structures on the site until the applicant or their agents or successors in title has secured and implemented a programme of archaeological recording to be undertaken by a competent person or professional organization 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.

15 No development pursuant to the permission hereby granted shall commence until a site habitat management plan has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved details.

Reason: To secure bio-diversity and habitat enhancements of the site in accordance with PPS9.

16 No more than 12 of the open market dwellings hereby permitted shall be occupied before the works to improve the access as shown on Stuart Michael Associates drawing no 2003.1824.001 Rev B (as approved with planning application ref: 05/00859/FUL have been completed to the satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety and to ensure satisfactory means of access

17 The dwellings hereby permitted shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: To ensure satisfactory road access is provided to the development.

18 The garages and parking spaces 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 and parking spaces in the interests of local amenity and highway safety.

19 Prior to development commencing on the site a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, and including details of future maintenance and management shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the dwellings are occupied and shall be maintained and managed in accordance with the approved details.

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

20 Prior to work commencing on the site (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the following details:

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

(ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(iii) The site investigation results and the detailed risk assessment (ii) 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.

(iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: The site is located above the Newhaven Chalk Formation which is classified as a Principal Aquifer. The Environment Agency is concerned that contamination which is present at the site due to its historical use as a timber treatment yard poses a risk to groundwater underlying the site.

21 On completion of the works outlined in Condition 19 above and prior to works commencing beyond groundworks stage, 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 and shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure that remediation is carried out in accordance with the agreed remediation strategy.

22 If, during development, contamination not previously identified is found to be present at the site then no further development beyond groundworks stage (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the applicant received written approval from the Local Planning Authority for any necessary amendments to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: The site is located above the Newhaven Chalk Formation which is classified as a Principal Aquifer and any contamination which is present at the site could pose a risk to groundwater underlying the site.

23 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 and D 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.

24 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the proposed garden levels of each house and the corresponding ground floor slab levels of the dwellings, have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.

Reason: To minimise the area of visible brickwork below damp proof course level so that there is a satisfactory relationship between the dwellings and the garden and landscape areas.

25 Before development commences an amended front elevation of plot 5 (at a scale of 1:100) which shows revisions to the flint and brick patterning to the attached garage, so that the patterning is of traditional proportions with more flint and less brickwork (as shown on the elevation of the cottage in photograph 12 on page 6 of the design and access statement), shall be submitted to and approved in writing by

the local planning authority. The flint and brickwork shall be implemented in accordance with the approved amended drawing before plot 5 is occupied.

Reason: In the interests of visual amenity

26 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the proposed garden levels of each house and the corresponding ground floor slab levels of the dwellings, have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.

Reason: To minimise the area of visible brickwork below damp proof course level so that there is a satisfactory relationship between the dwellings and the garden and landscape areas.

27 Before the development hereby approved is commenced a sustainability strategy shall be submitted to and approved in writing by the Local Planning Authority relating to provisions for energy efficiency and reduction in regard to heating methods, heat recovery systems, insulation, water reduction and grey water recycling systems, materials sourcing and use of local labour. The development shall be undertaken in accordance with such approved sustainability strategy.

Reason: In the interests of ensuring that the development has due regard to national and regional sustainability objectives as promoted in Planning Policy statements and the South East Plan.

28. Details of any proposals for external lighting shall be submitted to and approved in writing by the Local Planning Authority before any dwelling in the development hereby approved is first occupied. The development shall be implemented in accordance with such approved details.”

Reason: To ensure that any lighting provision is necessary and appropriate in its form and design for this sensitive rural edge of settlement location.

29. The workspace provision included above garages within the development shall only be used by residents of the associated dwelling for home working purposes ancillary to the main dwelling and for no other purpose.

Reason: In the interests of maintaining the residential amenity of residents of the development and to avoid possible consequent pressures for additional parking.

Informatives

1. The development is not in accordance with Policies H5 and H7 of the Development Plan set out below but there are other material considerations, including land remediation and local context 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. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Review 2006: H3, H5, H7, DP3, DP4, DP5, CE6, HE1, HE4, HE5, RT4, T2, T4, T5
South East Plan 2009: CC6, BE5, BE6, C2, C3

3. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a notice limiting the hours of operation under the Control of Pollution Act 1974 may be served.

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

5. Under the terms of the Water Resources Act 1991 this development will need a Discharge Consent from the Environment Agency.

6. Under the terms of the Water Resources Act 1991 the prior written agreement is required for discharging dewatering water from any excavation or development to controlled waters. The applicant is advised to contact the Hants and IOW Area office (Environment Management Itchen Team) to discuss which type of authorisation will be required.

7. The applicant is requested to consider the retention of the existing sign over the entrance drive in consultation with the parish council as it is considered that it is of local heritage interest to the village.

Kings Worthy Ward Kings Worthy

**02 Conservation Abbots Worthy - Boundary amendments 1986 and December
Area:** 1998 Published August 1997
Case No: 10/00133/FUL
Ref No: W06777/12
Date Valid: 15 March 2010
Grid Ref: 449730 132742
Team: EAST **Case Officer:** Andrea Swain
Applicant: Mr & Mrs Paul Hawkins
Proposal: Erection of 1 no. three bedroom dwelling in the garden of 2
Park Lane with associated parking and storage (WITHIN THE
CURTILAGE OF A LISTED BUILDING) (RESUBMISSION)
Location: Ramblers, 2 Park Lane, Abbots Worthy, Winchester,
Hampshire, SO21 1DT
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 dwelling 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. - existing and proposed finished levels or contours:

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:

- planting plans:
- means of enclosure, including any retaining structures:
- car parking layout:

Soft landscape details shall include the following as relevant:

- hard surfacing materials:
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- 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:

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 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 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.

8 The existing access(es) to the site shall be stopped up and abandoned and the verge crossing shall be reinstated to the requirements of the Local Planning Authority, immediately after the completion of the new access hereby approved and before the new access is first brought into use.

Reason: In the interests of highway safety and the amenities of the area.

9 Before the development hereby approved is first brought into use, visibility splays of 2.0 metres by 23 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times. No structure, erection or vegetation exceeding 600mm in height above the level of the adjacent highway shall be permitted within the splays.

Reason: In the interests of highway safety.

10 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.

11 No gates shall be provided at the access without the prior written approval of the Local Planning Authority.

Reason: In the interests of highway safety.

12 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/2Park/002 written by Kevin Cloud of Technical Arboriculture and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

13 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 AIA/AMS-KC/2Park/002. Telephone 01962 848248.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

14 The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848248.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

15 No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement AIA/AMS-KC/2Park/002. Any deviation from works prescribed or methods agreed in accordance with Method Statement AIA/AMS-KC/2Park/002 shall be agreed in writing to the Local Planning Authority.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

16 No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

17 The area coloured green on plan number 732.03A shall be returned to garden amenity area and form part of the soft landscaping scheme to be submitted as part of planning condition number 3 of this decision notice.

Reason: to ensure that a satisfactory amenity area is provided for number 2 Park Lane.

18 Plans and particulars showing detailed proposals for all the following aspects of the development shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development:

(a) a detailed design (including large scale elevations and sections) for the windows.

Reason: To ensure such details are appropriate to the character of the (listed) building.

19 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 and D 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.

20 Details of any proposals for lighting shall be submitted to and approved in writing by the Local Planning Authority before the dwelling hereby approved is first occupied. The development shall be implemented in accordance with such approved details.

Reason: To ensure that any lighting provision is necessary and appropriate in its form and design for this sensitive rural location

Informatives

1. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP5, H4, H7 and RT4.

South East Plan 2009: CC.6 and H.5

3. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Environmental Health and Housing Department, a notice limiting the hours of operation under the Control of Pollution Act 1974 may be served.

Winchester Town

Ward

St Barnabas

03 Conservation

Area:

Case No: 10/00037/FUL

Ref No: W21393/03

Date Valid: 8 January 2010

Grid Ref: 446921 131161

Team: EAST

Case Officer: Mrs Jane Rarok

Applicant: Mr J Lamb

Proposal: (AMENDED PLANS) (HOUSEHOLDER) 1.5m x 2.4m single storey front porch extension to approval 09/00757/FUL now under construction and construction of a ramp

Location: 12 Devenish Road, Winchester, Hampshire, SO22 6EX

Officer PER

Recommendation

:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

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

Winchester Town

Ward

St Barnabas

04 Conservation

Area:

Case No: 10/00038/FUL

Ref No: W21393/02

Date Valid: 8 January 2010

Grid Ref: 446921 131161

Team: EAST

Case Officer: Mrs Jane Rarok

Applicant: Mr J Lamb

Proposal: (HOUSEHOLDER) The insertion of three velux type roof lights each 900 x 600 in roof slope of approved building now under construction as approved 09/00757/FUL

Location: 12 Devenish Road, Winchester, Hampshire, SO22 6EX

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).

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

PDC 859

Winchester Town

Ward

St Michael

**PDC
859**

Conservation

Area:

Case No: 07/02101/FUL

Ref No: W12804/39

Date Valid: 28 August 2007

Grid Ref: 446909 129164

Team:

Case Officer: Mr Dave Dimon

Applicant: Domain Queen's Road LP

Proposal: Erection of student accommodation containing 382 rooms and ancillary facilities following the demolition of Colebrook and Parchment former nurses accommodation houses in Queens Road (AMENDED PLANS inincreasing number of units from 375 to 382 and showing reduced height at southern end and consequent increased height to block adjacent to Queens Road and including minor changes to footprint and layout)

Location: The University Of Winchester Student Accommodation, Queens Road, Winchester, Hampshire

Officer PER

Recommendation

:

MINUTE

Resolved to take no further action in regard to the enforcement of the requirement to provide external louvers to the south elevations of blocks 4 and 7 as required by condition 2 of planning permission 07/02101/FUL provided that :-

The applicant offers a unilateral undertaking under the provisions of section 106 of the Town and Country Planning Act 1990 agreeing to apply external obscuring film (to a level of obscuration to be first agreed with the Local Planning Authority in writing) to the lower half of all clear glass windows on the southern elevations of blocks 4 and 7 within 6 weeks of the date of this decision and thereafter to retain the windows in such condition in perpetuity.