

PLANNING DEVELOPMENT CONTROL COMMITTEE

27 November 2012

Attendance:

Councillors:

Jefferies (Chairman) (P)

E Berry (P)

Clear (P)

Evans (P)

Izard (P)

Johnston (P)

Lipscomb

McLean (P)

Pearce (P) (for all but Report PDC949)

Read (P)

Ruffell (P)

Scott (P)

Others in attendance who addressed the meeting:

Councillors Hiscock, Tait, Wood and Weston

Others in attendance who did not address the meeting:

Councillor Rutter

1. **CHAIRMAN'S ANNOUNCEMENT**

The Chairman explained that the business of this meeting should have been considered by the Committee on 13 November 2012. However, due to an administrative error, that meeting had to be cancelled and this meeting was called in its place. The Chairman apologised for any inconvenience this change had caused.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 18 October 2012 be approved and adopted.

3. **DEVELOPMENT CONTROL SCHEDULE**

(Report PDC951 refers)

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

Applications within the area of the South Downs National Park determined on behalf of the National Park Authority (SDNP):

Item 1: Alpaca Meadow, Hensting Lane, Owslebury – Temporary Agricultural Worker’s Dwelling - 12/00689/SFUL

Mr Potter (local resident) and Mr Page (Owslebury Parish Council) spoke against the application and Mr Moore (applicant’s agent) spoke in support.

The Head of Planning Management advised that, following the publication of the Report, the applicant had raised concerns regarding the availability of certain information (as set out in the Update Sheet). Since the completion of the Report, the applicant has rented an additional 60 acres of grazing land and taken delivery of eight sheep.

At the conclusion of debate, the Committee agreed to refuse planning permission for the reasons set out in the Report.

RESOLVED:

That the decision taken on the Development Control Application, in relation to the area of the South Downs National Park, be agreed as set out in the Schedule (appended to the minutes for information).

Applications determined outside the area of the South Downs National Park (WCC):

The following items had speakers during public participation:

Item 1: Land off Hookpit Farm Lane, Kings Worthy – 25 affordable dwellings - 12/001912/FUL

By way of a personal statement, Councillor Johnston explained that although he was a Ward Member and a member of Kings Worthy Parish Council, he had not pre-determined this application. He therefore spoke and voted thereon.

The Head of Planning Management explained that, following the publication of the Report, the applicant had submitted details which discharged some of the conditions recommended in the Report. These were set out in detail in the Update Sheet and related to land contamination, tree protection, water treatment and acoustics. In response to concerns from the Urban Design Officer, a further condition was recommended to control the type of roofing tile. Officers also recommended that the proposed footpath through the site be secured through the legal agreement.

Mr Hunt (local resident) spoke against the application and Councillor Tait (Portfolio Holder for New Homes Delivery) and Mr Holmes (applicant’s agent) spoke in support.

In summary, Councillor Tait welcomed the application and highlighted how the applicant would go some way towards meeting the local need for affordable housing.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons set out in the Report and subject to the Conditions set out in the Update Sheet.

Item 2: Rear of 96-112 and including 110 and 112 Cromwell Road, Winchester – Demolition of 110-112 Cromwell Road and erection of 9 affordable dwellings – 10/01634/FUL

The Head of Planning Management explained that, following the publication of the Report, the Urban Design Officer had commented on the Scheme and, in summary, supported the application (detail set out in the Update Sheet). The Update Sheet also set out further comments from the Council's Strategic Housing Team, which outlined the housing need in the area and the comments of the Head of Landscape who raised no objection, subject to conditions to protect the boundary trees. The Head of Planning Management also recommended an additional Condition requiring further details of the elevations, plans and sections (this was later agreed by the Committee). The Committee also noted a typographical error under "Conclusion" at page 43 in that it should read to "approval" rather than "refusal".

Ms Collins (a local resident) raised concerns regarding the protection of the boundary trees to the application and Mr Taylor (applicant's agent) spoke in support.

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 the additional conditions set out in the Update Sheet, relating to the protection of trees and the requirement of further details on elevations, plans and sections.

Item 3: The Apex Centre, Church Lane, Colden Common – Erection of 14 dwellings following demolition of existing buildings - 12/01598/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, a representation against the application had been withdrawn. It was also explained that the applicant had submitted a revised ecology report, relating to bat boxes which altered the reason for refusal on ecological mitigation measures (detail set out in the Update Sheet). The applicant had also expressed a willingness to provide open space and education contributions and provide two smaller units as shared ownership schemes.

Mrs Sutton (Colden Common Parish Council) and Mr Barry (applicant's agent) spoke in support of the application.

At the conclusion of debate, the Committee agreed with the suggestion from the Parish Council that it was not possible to sufficiently understand the

application from the photographs alone and therefore deferred the application to a meeting of the Planning Development Control (Viewing) Sub-Committee, to be held on 11 December 2012.

Item 4: Garages 1-9 and part of garden of 9 Bourne Close, Otterbourne – Demolition of existing garages and erection 3 dwellings - 12/02001/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, the details of the financial contribution for public open space and highways had been set out and an additional letter of objection had been received. Furthermore, the applicant had submitted plans regarding levels (to ensure effective drainage of the site and minimise the risk of flooding) and the Council's arboriculturalist had confirmed that he raised no objection to the application, subject to conditions. The Head of Planning Management also recommended that Condition 6 was more appropriate as an informative and, as an additional informative, the development should be carried out in accordance with the amended site plan (details in the Update Sheet).

Mrs Acton (Otterbourne Parish Council), Councillor Tait (as Portfolio Holder for New Homes Delivery) and Mr Willenbruch (applicant's agent) all spoke in support of the scheme.

In summary, Councillor Tait spoke in support of the scheme, congratulated the Council officers involved and highlighted that this was the first application for new Council houses for approximately 25 years.

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 as amended in the Update Sheet regarding tree protection, Condition 6 and an additional informative based on the amended site plan.

Item 5: Winchester Trade Park, Easton Lane, Winchester – Change of Use - 12/01435/FUL

The Head of Planning Management explained that his item had been deferred.

Item 6: 15 King Alfred Place, Winchester – 2 storey rear extension - 12/001776/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, there had been a further four letters submitted in support of the application (12 in total).

Councillor Hiscock (a Ward Member) and Mrs Locke (one of the applicants) spoke in support of the application.

In summary, Councillor Hiscock did not consider that the proposed extension would detract from character of the area and that the building would retain very modest proportions. He therefore considered that the proposed

extension was a reasonable alteration to the dwelling to make it more relevant to modern family living.

At the conclusion of debate, the Committee agreed to grant planning permission, contrary to the recommendation to refuse as set out in the Report. This was because the Committee did not agree with the proposed reasons for refusal and instead considered that the application was consistent with Policies DP3, HE4 and HE5 in that it was a modest extension which blended in well with the Conservation Area and was an improvement upon the previously refused scheme. In agreeing to grant permission, the Committee delegated authority to the Head of Planning Management to set appropriate conditions.

The following item had no speakers during public participation:

Item 7: 6 Dean Close, Winchester - Crown Lift to TPO tree - 12/001923/TPO

The Head of Landscape explained that the Report had been referred to Committee because the applicant was the Chief Executive of the City Council.

At the conclusion of debate, the Committee agreed that the application be permitted, as set out in the Report.

RESOLVED:

That the decisions taken on the Development Control Applications, in relation to the area outside the area of the South Downs National Park be agreed, as set out in the Schedule (appended to the minutes for information).

(i) That, in respect of Item 3 (The Apex Centre, Colden Common) the application be deferred to a meeting of the Planning Development Control (Viewing) Sub-Committee, to be held 11 December 2012.

(ii) That, in respect of Item 5 (Winchester Trade Park, Easton Lane, Winchester) the application be deferred.

(iii) That, in respect of Item 6 (15 King Alfred Close, Winchester) planning permission be granted and authority be delegated to the Head of Planning Management to set appropriate conditions.

4. **OPERATION OF THE PLANNING DEVELOPMENT CONTROL COMMITTEE – INFORMAL POLICY GROUP – FINAL REPORT**
(Report PDC949 refers)

As the Chairman of the Informal Policy Group, Councillor Humby, was unable to attend this meeting, the Report was introduced by Councillor Weston

(Portfolio Holder for Planning and Transport) and Councillor Wood (the Leader).

Following debate, the Committee agreed to amend Recommendation 1 so that the Committee be reduced, but that its number should be up to ten. Members agreed that this would give Group Leaders a degree of flexibility in making appointments to reflect the political balance of the Council each Municipal Year. The Committee also raised concerns regarding the potential workload and conflict of interests if a member of Cabinet chaired the Committee. Whilst noting that there was nothing in the Council's Constitution to prevent such an appointment, the meeting agreed that reference to it should be removed from the recommendation. Finally, the Committee agreed to remove the word "effectively" from Recommendation 2(i).

RECOMMENDED:

THAT THE MEMBERSHIP OF THE PLANNING DEVELOPMENT CONTROL COMMITTEE BE REDUCED FROM 12 MEMBERS TO UP TO 10 MEMBERS, WITH EFFECT FROM THE 2013/14 MUNICIPAL YEAR.

RESOLVED:

1. That the following administrative improvements to the operation of the Planning Development Control Committee be endorsed:
 - i) Split the meeting into morning and afternoon sessions;
 - ii) Public Participation to be held later in proceedings so that it is taken after officers' presentation and Members' questions, but before Members' debate and the vote;
 - iii) Speakers to be asked questions by the Committee;
 - iv) Production of a public guide explaining the Public Participation system;
 - v) Production of a public guide explaining the Committee's procedures;
 - vi) Display the Chairman's announcements on the screen;
 - vii) Reduce the length of officers' presentation at meetings by adhering to visual material only, including proposed plans and photos of the site and its surroundings;
 - viii) Upload the Update Sheet to the Council's website;
 - ix) Copy of the Update Sheet to be placed on the Committee room door;
 - x) Make the Public Speaker timer system easier to understand;
 - xi) Display the item number in the Committee Room;
 - xii) Update the website during the meeting "PDC live" and display in the Guildhall reception, subject to practicalities;
 - xiv) PDC Members to be encouraged to bring policy documents to the meetings;

- xv) PDC Members to be encouraged to advise Case Officers in advance of the meeting of any technical issues they wish to raise during the meeting;
- xvii) That the Group's recommendations on training be implemented;
- xviii) That attendance at this revised training (the content to be settled by the Head of Planning Management, in consultation with the Chairman of PDC and the Portfolio Holder for Planning and Transport) be a prerequisite for Members and deputies serving on PDC.

The meeting commenced at 9.30am and adjourned for lunch between 12.40pm and 1.30pm and concluded at 3.35pm.

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

DECISIONS

27.11.2012

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

SOUTH DOWNS NATIONAL PARK APPLICATION

SDNP	Owslebury	Ward	Owslebury And Curdridge
01	Conservation Area:		
	Case No:	12/00689/SFUL	
	Ref No:	W22580	
	Date Valid:	30 March 2012	
	Grid Ref:	450602 123878	
	Team:	3_SDNP	Case Officer: Elaine Walters
	Applicant:	Mrs Hazel Moore	
	Proposal:	Application for a Temporary Agricultural Dwelling	
	Location:	Alpaca Meadow, Hensting Lane, Owslebury, Winchester, Hampshire, SO21 1LE	
	Officer	REF	
	Recommendation:		

Committee Decision:

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

Conditions/Reasons

- 1 Based upon the information submitted it has not been demonstrated that the provision of a temporary agricultural workers' dwelling is essential to support the applicant's business and the proposal does not meet the financial and functional tests of Local Plan policy CE19. The development is therefore considered to be contrary to policy CE19 of the Adopted Winchester District Local Plan Review 2006 in that it would represent an additional dwelling in the countryside for which there is no overriding justification.
- 2 The proposed development will be a visually intrusive form of development, that will be harmful to the landscape character of the area, within the South Downs National Park, contrary to policies DP3, DP4 and CE5 of the Winchester District Local Plan Review 2006 and the purposes of the National Park designation. The proposal introduces an incongruous, alien form of development in the open countryside and will result in the loss of an important landscape features.
- 3 It has not been demonstrated that the proposal will not be vulnerable to flooding. It does not accord with the Technical Guidance to the NPPF, Table 2, Flood Risk Vulnerability Classification which places "Caravans, mobile homes and park homes intended for permanent residential use" in the "Highly Vulnerable" classification. Table 3: Flood Risk Vulnerability and Flood Zone "Compatibility" states that no Highly Vulnerable class is suitable in Flood Zone 3a or 3b.

Informatives

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

South East Plan 2009:
C2 (South Downs National Park)

Winchester District Local Plan Review
DP3, DP4, CE5, CE13, and CE19

National Planning Policy Guidance/Statements:

National Planning Policy Framework:

Core planning principles: Para 17

Landscape character: Para 109

SDNP: Para 115 great weight should be given to conserving landscape and scenic beauty in the National Parks, and that the conservation of wildlife and cultural heritage are important considerations

Housing for Essential Rural Workers: Para 55

English National Parks and the Broads: UK Government Vision and Circular 2010

WINCHESTER CITY COUNCIL APPLICATIONS

	Kings Worthy	Ward	Kings Worthy
WCC			
01	Conservation Area:		
	Case No:	12/01912/FUL	
	Ref No:	W02203/03	
	Date Valid:	4 September 2012	
	Grid Ref:	448623 133688	
	Team:	1_NTH	Case Officer: Mrs Julie Pinnock
	Applicant:	Drew Smith Ltd	
	Proposal:	Residential development for 25 no. affordable dwellings including associated roads, parking area and landscaping (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)	
	Location:	Land Off Hookpit Farm Lane, Hookpit Farm Lane, Kings Worthy, Hampshire	
	Officer	PER	
	Recommendation:		

Committee Decision:

APPROVED - subject to a Section 106 Agreement for:

1. The provision of 25 units of affordable housing in perpetuity;
2. The provision, laying out and transfer of public open space off-site to the

Council/Parish Council;

3. Dedication of a public footpath through the application site (including limited vehicular access rights for maintenance);
4. Landscape management including ecological mitigation;
5. The provision and future long term maintenance of a 5m wide buffer strip
6. The provision, laying out and transfer of on-site public open space, including the provision of an equipped Local Area of Play (10 x 10m) including future management arrangements.

(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 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.

- 3 The contractors compound including parking for site operatives and construction vehicles shall be provided in accordance with the details shown on drawing 954 - P 05B, unless otherwise approved in writing by the Local Planning Authority. The approved measures shall be retained for the construction period.

Reason: In the interests of highway safety.

- 4 The parking areas (both allocated and unallocated) shall be provided in accordance with the approved plans 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.

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

approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

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

6. All hard and soft landscape works shall be carried out in accordance with the approved details. 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 hard and soft landscape in accordance with the approved designs.

7 Details of any lighting to be provided at the site, shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

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

8 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the Local Planning Authority. The Written Scheme of Investigation shall include:

1. An assessment of significance and research questions;
2. The programme and methodology of site investigation and recording;
3. Provision for post investigation assessment, reporting and dissemination;
4. Provision to be made for deposition of the analysis and records of the site investigation (archive);
5. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

9 Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

Note: The programme of archaeological work will form a 2-stage programme of work, comprising archaeological field evaluation followed by a further stage of mitigation works as appropriate.

10 Notwithstanding the notation on the application forms and drawings/plans, the elevations of all buildings (including parapet upstand) shall be constructed of a soft red stock brick, the eaves (fascias, soffit and dormer cheeks) and the rainwater goods shall be a dark grey, window frames and doors are upvc (with 75mm recess from the brick faces) and the roofs material shall be natural slate or tile. (Redland Heathland plain Autumn or Ember plain are suggested as appropriate).

Samples of the roofing material and colour shall be submitted to and approved in writing by the Local Planning Authority before development commences.

The agreed bricks are:

Bricks : Thornbury Multi Stock (Hanson Building Products)

Selected Dark Facing (Freshfield Lane Brickworks)

Development shall be carried out in accordance with the approved details.

Reason: The site is in a prominent edge of village location where the use of good quality and sensitive materials will ensure that the development settles into this sensitive landscape well.

11 Ecological mitigation works will be carried out in accordance with the measures set out in section 4.1 of the Ecological Mitigation Statement (4Woods Ecology, September 2011 and updated August 2012 (and supplemented by letter 8th October 2012), unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to provide adequate ecological mitigation including for reptiles and dormice.

12 A detailed scheme of habitat, dormouse and reptile mitigation and enhancement measures shall be submitted to and agreed in writing by the Local Planning Authority, within 3 months of the commencement of development. Such information shall include details as to how the development seeks to comply with the requirements set out within the 4Woods Ecology, September 2011, updated August 2012 (and supplemented by letter 8th October 2012)) Ecological Mitigation Statement and shall include details of management and monitoring of the retained and created habitats within the site and within the S106 land. Any works shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to provide adequate ecological mitigation including for reptiles and dormice.

13 Development shall be carried out in accordance with the following drawings/plans:

954-PA-01 1500 LOCATION PLAN *
954-PA-04 500 25 DWELLING LAYOUT - LANDSCAPING *
954-PA-05 500 25 DWELLING LAYOUT - PHASE 1 DETAILS B
954-PA-06 500 25 DWELLING LAYOUT - PHASE 1 COLOUR B
954-PA-07 150 COMPOSITE ELEVATIONS - SHEET 1 B
954-PA-08 150 COMPOSITE ELEVATIONS - SHEET 2 B
954-PA-09 350 PHASE 1 SITE SECTIONS A
954-PA-10 100 DWELLING LAYOUTS TYPE A1 B
954-PA-11 100 DWELLING LAYOUTS TYPE B1-3 B
954-PA-12 100 DWELLING LAYOUTS TYPE C1&2 C
954-PA-13 100 DWELLING ELEVATIONS/SECTIONS TYPE A1 A
954-PA-14 100 DWELLING ELEVATIONS/SECTIONS TYPE B2 A
954-PA-15 100 DWELLING ELEVATIONS/SECTIONS TYPE B3 A
954-PA-16 100 DWELLING ELEVATIONS/SECTIONS TYPE C1 A
954-PA-17 100 DWELLING ELEVATIONS/SECTIONS TYPE C2 A
954-PA-20 25+10 TYPICAL SECTIONS THROUGH HOUSES+DETAILS B
954-PA-21 25+10 TYPICAL SECTIONS THROUGH HOUSES+DETAILS *
954-PA-22 25+10 CANOPY DETAILS *
954-PA-23 25+10 GATE, FRONT DOOR GAS *
954-D+A-10 650 AMENDED ROOF MATERIAL LOCATIONS *

Reason: For the avoidance of doubt, and to define the permission

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, DP4, DP5, H6, RT5, T1, T2
South East Plan 2009: CC1, CC6, SP3, NRM11
3. 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.

4. All works, including demolition and construction, should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sunday or Bank Holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
5. A formal application for connection to the public sewage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester. SO23 9EH. (Tel: 01962 858688), or www.southernwater.co.uk.
6. A formal application for connection to the water supply is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester. SO23 9EH. (Tel: 01962 858688), or www.southernwater.co.uk.
7. The applicant is advised that a separate application for a Footpath Diversion Order is required.

	Winchester Town	Ward	St Luke
WCC			
02	Conservation		
	Area:		
	Case No:	12/01634/FUL	
	Ref No:	W21707/01	
	Date Valid:	25 July 2012	
	Grid Ref:	447272 128725	
	Team:	1_NTH	Case Officer: Andrea Swain
	Applicant:	Radian	
	Proposal:	Demolition of 110 and 112 Cromwell Road and erection of 9 no. affordable dwellings with associated bin and bike stores on land to the rear of 96 to 112 Cromwell Road	
	Location:	R/O 96 -112 Incl 110 And 112 Cromwell Road, Winchester, Hampshire	
	Officer	PER	
	Recommendation:		

Committee Decision:

APPROVE SUBJECT TO A SECTION 106 LEGAL AGREEMENT FOR THE FOLLOWING:-

1. **A financial contribution of £26,215 towards highway improvements**

2. **A financial contribution of £17,836 towards the provision of public open space through the open space funding system**
3. **Provision and retention of 100% affordable housing on the site.**
4. **Arrangements to secure the reptile receptor site and mitigation strategy.**

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

And the following condition:-

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 Notwithstanding the schedule of materials included with the planning application, no development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwellings 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 Notwithstanding the landscape proposals submitted with the planning application, no development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours:
- means of enclosure, including any retaining structures:
- car parking layout:
- other vehicle and pedestrian access and circulation areas:
- hard surfacing materials:
- minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc):
- hard surfacing materials:

Soft landscape details shall include the following as relevant:

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

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

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

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

5 A detailed drainage layout, long sections and specification for the foul and surface water sewers, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

NOTE: Entering into an Agreement with Southern Water Services Ltd under Section 104 Water Industry Act 1991 shall be deemed to satisfy this condition.

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

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 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

9 The car park shall be constructed, surfaced and marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking, loading, unloading and turning of vehicles.

Reason: In the interests of highway safety

10 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the Local Planning Authority. The Written Scheme of Investigation shall include:

1. An assessment of significance and research questions
2. The programme and methodology of site investigation and recording
3. Provision for post investigation assessment, reporting and dissemination
4. Provision to be made for deposition of the analysis and records of the site investigation (archive)
5. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

11 Following completion of archaeological fieldwork (and prior to the first occupation of the dwellings hereby permitted) a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available,

in compliance with policy HE.1 of the Winchester District Local Plan Review.

12 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 - F of Parts 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, to maintain a good quality environment and to ensure that the development complies with policy H7.

13 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; other than those expressly authorised by this permission shall, at any time, be constructed in the elevations of the dwellings hereby approved.

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

14 The first floor window in the east elevation of plot 2; hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

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

15 Works shall be carried out in accordance with the measures set out in section 5 of the Ecological Impact Appraisal (Middlemarch Environmental, September 2012), unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to provide necessary ecological mitigation and enhancement.

16. Before development commences annotated elevations, plans and sections (at 1:20 scale) of the following detail shall be submitted to and approved in writing by the local authority.

- Eaves and soffits including rain water goods,
- verge detail,
- window frames
- oriel windows
- storm porches,
- front doors
- boundary treatment including garden gates
- bin stores
- metre box covers
- Photo voltaic panels

The approved details shall be fully implemented before the penultimate dwelling is occupied

Reason: In the interests of visual amenity and to secure a good standard of development

17. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal reference RT-MME-112245-01 written by Lucy Philpott of Middlemarch Environmental Ltd, 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.

18. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Appraisal RT-MME-112245-01.

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

19. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal RT-MME-112245-01 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.

20. 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.

21. A Final version of the Arboricultural Method Statement RT-MME-112245-02 including clarification for the method and materials that are going to be used for the retaining walls for the Cell Webb, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.

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

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: DP.1, DP.3, DP.4, DP.5, DP9, HE1, HE2, H3, H.5, H.7, RT.4, T1, T3,T2, T.4,
South East Plan 2009: SP3, CC6, H5 and NRM11

3. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or www.southernwater.co.uk

4. Where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

-Specify the responsibilities of each party for the implementation of the SUDS scheme.

-Specify a timetable for implementation.

Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

5. Should any sewer be found during the construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or www.southernwater.co.uk

6. The applicant is advised that a licence will be required to carry out highway works. Please contact: Hampshire Highways, Central Depot, Bar End Road, Winchester, SO23 9NP. (Telephone: 01962 892850).

7. All works, including demolition and construction, should only be carried out between the hours of 0800 and 1899 hours Monday to Friday and 0800 and 1300

hours Saturday and at no time on Sunday or Bank 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.

8. 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.

	Colden Common	Ward	Colden Common And Twyford
WCC			
03	Conservation		
	Area:		
	Case No:	12/01598/FUL	
	Ref No:	W14226/08	
	Date Valid:	23 July 2012	
	Grid Ref:	448357 121566	
	Team:	2_STH	Case Officer: Mr James Jenkison
	Applicant:	Fleetwater Homes	
	Proposal:	Erection of 14 no. dwellings comprising 8 no. two bed, 2 no. three bed and 4 no. four bed dwellings with associated access, parking and landscaping following demolition of existing buildings (REPUBLICATION - ADDITIONAL DETAILS SUBMITTED)	
	Location:	The Apex Centre, Church Lane, Colden Common, Hampshire	
	Officer	REF	
	Recommendation:		

Committee Decision:

The application is DEFERRED for consideration by a Viewing Sub Committee on 11th December 2012.

WCC **Otterbourne** **Ward** **Compton And Otterbourne**

04 Conservation

Area:

Case No: 12/02001/FUL

Ref No: W22744

Date Valid: 21 September 2012

Grid Ref: 445984 123623

Team: 1_NTH **Case Officer:** Mr Andrew Rushmer

Applicant: Winchester City Council

Proposal: Demolition of existing garages and construction of a terrace of 3 no. three bedroom dwellings with associated gardens and car parking area

Location: Garages 1 To 9 And Part Of Garden To No 9 Bourne Close, Otterbourne, Hampshire

Officer PER

Recommendation:

Committee Decision:

That planning permission be granted, subject to the following conditions and the payment of financial contributions for:

- £7248.00 (Public Open Space)

- £11235.00 (Highways)

(Or other sum to be agreed in writing with the Head of Planning Management)

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 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.

3 The car park shall be constructed, surfaced and marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking, loading, unloading and turning of vehicles.

Reason: To ensure that adequate on-site parking and turning facilities are made available.

4 The proposal is to be carried out in accordance with the materials schedule submitted 29th of October 2012, reference number 27933.

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

5 The proposal shall be carried out in accordance with the planting plan lodged with the Planning Department on the 29th of October. The planting is to be provided in the first planting season following the occupation of the buildings 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.

6 The development is to be carried out in accordance with the recommendations set out in paragraph 4.2.3 of the Phase II Reptile Survey submitted by ECOSA to support this application.

Reason: In order to prevent harm to protected species, as required by policy CE10 of the Winchester District Local Plan Review 2006 and the National Planning Policy Framework.

7 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 and B of Part 1, and Class A of Part 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

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

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, CE10, H3, H7, T4
South East Plan 2009: BE1
National Planning Policy Framework

3. Under the terms of Section 109 of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Otterbourne Stream, which is designated a 'main river'. This consent is separate from the requirement to gain planning permission and is required for both temporary and permanent works.

4. No site clearance is to take place during the bird nesting season, which is between March and August.

5. The development is to be carried out in accordance with the amended site plan, reference number 27933 - PD101 Rev A.

6. Prior to the commencement of construction activities (excluding demolition and site clearance), a tree protection plan is to be submitted to, and agreed in writing with the local planning authority, and the development is to be carried out in accordance with the approved details.

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 in the construction of the external surfaces of the extension, including doors and windows, shall match those used on the existing dwelling.

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

Informatives

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

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

Winchester District Local Plan Review 2006: DP3, DP4, HE4, HE5

	Winchester Town	Ward	St Barnabas
WCC			
07	Conservation		
	Area:		
	Case No:	12/01923/TPO	
	Ref No:	WTPO/0020/403	
	Date Valid:	4 September 2012	
	Grid Ref:	446198 130827	
	Team:	1_NTH	Case Officer: Mr Ivan Gurdler
	Applicant:	Mr M Merritt	
	Proposal:	1no. Tilia crown lift to 8m above ground level.	
	Location:	6 Dean Close, Winchester, Hampshire, SO22 5LP	
	Officer	PER	
	Recommendation:		

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1 The tree works 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 Limit of work - the work hereby permitted shall be limited to removing live branches no greater than 75 mm in diameter to a maximum height of 8.0 meters.

Reason: To safeguard the amenity value and health of the trees

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: DP.4
South East Plan 2009: BE1 CC1