

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 01
Address: Freemans Yard School Lane Cheriton Alresford Hampshire SO24 0QA

Parish/Ward Cheriton

Proposal Description: Refurbishment of existing offices and barn to 3 no. offices (B1a) and 2 no. workshops (B1c); Demolition of remaining buildings and redevelopment to provide 6 no. two bedroom live/work dwellings, 8 no. two bedroom, 2 no. three bedroom and 8 no. four bedroom dwellings; extension to school playground; associated landscaping, parking and access (AMENDED DESCRIPTION)

Applicants Name Knightspur Homes Limited

Case No: 05/00859/FUL

W No: W19471

Case Officer: Fiona Tebbutt

Date Valid: 31 March 2005

Delegated or Committee: Committee

Reason for Committee: At the request of a councillor
Reason for Committee: Parish Council submitted representations contrary to officer recommendation

Site Factors: Area of Outstanding Natural Beauty
County Heritage Site

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Site Description

- The site lies on the east side of Cheriton adjoining the conservation area and comprises approximately 1.1 hectares of the area formerly occupied by Freemans Builders yard and sawmill.
- Overall the site is more extensive than the area that comprises the application, which is allocated in the Local Plan, and it rises steeply to the east to include a large area of countryside.
- There are a number of dilapidated former workshop and storage buildings on the site and adjacent to the entrance are the former offices, which are brick and tile, and a better quality attached barn.
- Access to the site is via School Lane, a narrow road that also serves Cheriton primary school, which adjoins the western boundary of the site.
- The Wayfarer's Walk long distance footpath runs parallel to the south east side of the site.

Relevant Planning History

- None

Proposal

- As per Proposal Description
- The application is for mixed use development of part employment use and part residential totalling 24 dwellings.
- It comprises conversion of the existing office building and barn to 3 no. offices (B1a) and 2 no. workshops (B1c) and the construction of 6 no. two bedroom live/work dwellings; whilst the remainder of the site is redeveloped for residential purposes. This provides a mix of housing size and types including 6 two bedroom flats as affordable housing and 12 open market houses comprising 8 four bed units, 2 three bedroom and 2 two bedroom units.
- Additionally the proposal incorporates parking and landscaping and it includes improvement to the existing access, the provision of a play area for the school and an area of public open space, which is in the countryside adjoining the eastern site boundary.

Consultations

Conservation:

- No objection.

English Heritage:

- No objection.

Archaeology

- Recommend a programme of historic building recording through inclusion of condition A020.

AONB

- Panel objects to scheme as proposed. They are however not opposed to the development of this brownfield site and welcome the conversion of existing buildings.
- Concerned that the largest and highest roofed properties that incorporate dormer windows are on the highest east part of the site where they will appear intrusively when viewed from the west across the valley. Recommend that plots 13 and 14 have lower roofs.
- Concerned that live / work units will be susceptible to conversion to entirely residential units.
- Welcome the proposed improved pedestrian facilities to the site access and the proposed footpath up the hill to the east to join the Wayfarer's Walk. This should be secured by a formal agreement to include its upkeep.
- Concerned at the likely extra vehicular traffic and its conflict with the school traffic at pick-up and drop-off times.
- Details of scheme could have an urbanising influence therefore suggest conditions, to require all power cables etc to be underground, and to avoid kerbs and streetlights.

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Engineers:Drainage:

- Site not within flood zone but hard landscaping should be kept to a minimum. The use of pervious hard surfacing materials and water butts should be encouraged.
- Non-mains drainage proposed using packaged system in SE corner of site with sub surface irrigation area along eastern side but no percolation tests taken to show that area sufficient.
- Until percolation tests can ensure sufficient land available for the subsurface irrigation permission should not be granted as per principles set out in DETR circular 03/99.

Engineers:Highways:

- A Transport Assessment has been submitted in support of the application.
- Although the site has been redundant for a number of years the proposal must be assessed in regard to the previous use - legally termed 'the fall back' situation. This showed that there were 60 employees generating approximately 120 two-way staff journeys together with approximately 90 HGV movements throughout the day.
- The proposal therefore suggests that there will be less vehicular traffic movements during the am and pm peak periods and less HGV movements than for the previous uses on the site.
- It is however likely that pedestrian and cycle movements from the site will increase and consequently improvement of the access to recognise this is desirable.
- The scheme incorporates proposals to alter the access to provide a separate footway adjacent the school and a pinch point to control vehicle speed, together with road widening west of the pinch point to improve two way passing, this is achieved by the acquisition of land from the school.
- This access improvement has been the subject of an independent safety audit, which did not identify any detrimental issues.
- Further off site improvements are also proposed and HCC have commented on these (see below).
- It is recognised that there is much concern regarding conflict with school traffic but the am peak period of traffic exiting the site will be less than when Freemans were operating in the 1990's. Furthermore the school has formulated a School Travel Plan to help reduce vehicular usage. There would not be a pm peak time conflict as the school finishes well before the site traffic pm peak period.
- Internally the road layout and parking provision is satisfactory but since it will not be adopted it is recommended that it be subjected to an independent safety audit. Accordingly there is no highway objection subject to conditions.

HCC Environment Dept

- Proposal is supported by a Transport Assessment and it is accepted that it is unlikely to result in additional traffic over and above that which could be generated by the 'fall back' position. It is also accepted that additional pedestrian movements from the site are likely.
- Therefore broadly support proposed minor off site highway works to provide safer pedestrian spaces including kerb realignments, which aim to control on street parking and provide new footway construction.
- These works may however not be supported locally due to their impact on the rural character. Therefore in view of their close proximity to the school an equivalent financial contribution to HCC to be used by the 'Safe Routes to School' team to develop an appropriate scheme for the area may be preferable. A contribution of £25,000 will be required to develop an effective scheme in this area.

HCC Rights of Way

- No objection. Welcome a link to the local rights of way network as suggested by the applicant and request that it be dedicated a public right of way as part of any 106 agreement associated with the development.

HCC Education

- No comments on principle of development. The location of school netball court is acceptable.

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- Details of the transfer of the land to the County Council, the works required to bring the land into use and the works required to the school in connection with improvement of the access will need to be secured through a suitable agreement with the County Council.

Environment Agency:

- Initially objected but following receipt of further information raise no objection subject to conditions and informative.

Environmental Protection:

- Concerned that past activities may have resulted in site contamination. Therefore recommend refusal until an up to date investigation and risk assessment of the potentially contaminated land is conducted and a written report submitted for consideration by the Health and Housing Department.

Ecology

- Holding objection due to insufficient information to assess the impacts of this proposal on the environment. Proposal has not considered the wildlife potential of site either in its current or future state.
- Neglected condition of site and buildings has considerable potential to support populations of reptiles, breeding birds and bat roosts.
- An ecological survey should provide assessment of all potential impacts prior to a decision being made on the application.
- Site within 100m of River Itchen SSSI and a tributary runs directly to west of site. Applicant should demonstrate that proposed works will not damage features for which river is designated

Forward Plans:

- No objection as proposal represents reasonable mix of employment and residential as supported by case against higher ratio of employment provision.

Architects Panel.

- The design of the buildings and selection of materials seem to reflect the character of Cheriton, but combine on this site to create a visually confusing group, which is of a very high density in this rural location.
- The planning and layout is complex in terms of vehicular and pedestrian circulation. These concerns, together with the traffic and viability of the work premises, places this scheme on an unsound footing.
- The scheme would benefit from fewer buildings and a visual focus, which might still achieve some of the objectives of PPG3.

Landscape:

- Initial landscape comments raised objection due to the impact of the large houses on the rising ground of the valley sides as seen across the valley from the western side. This was felt to be out of character with the village which mostly occupies the valley floor.
- Subsequent further information including a photomontage and selection of darker roof tile colours has largely overcome the basis of the objection however.
- The generous amount of open space proposed to be provided as part of the development is welcomed subject to agreeing the details of how the area is to be treated and managed in the future.

Housing

- Live work units are included in the calculation of the amount of affordable housing to be provided so based on the total of 24 units 7 or 8 units are required.
- Affordable housing should be spread throughout a development wherever possible.
- Housing needs survey shows a need for 1,3 and 3 bed units and houses are preferred to flats for the larger units. Query use of thatch for roof
- NB the proposal has been amended to include two of the live work units as affordable bringing the total provision to 8 and the use of thatch has been changed to tiles.

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Southern Water:

- No adverse comment on this application.

Representations:

Cheriton Parish Council – object on the following grounds

- Discrepancies in the proposed development area, settlement boundary not represented accurately on proposed layout plan. Gardens and paths should not go beyond Local plan bdy.
- Highway safety and access - Access road to development wholly inadequate.
- Overburdening the village infrastructure.
- Risk of flooding water run off from the development will inundate existing properties that are lower.
- Contamination, concerned that all contamination should be addressed including that part of the site beyond the application area.
- Style of development - height of houses at 2½ storeys out of keeping and architectural quality and layout below acceptable standards.

Bramdean and Hinton Ampner Parish Council

- Concerned that local highway network inadequate to cope, that the safety of children attending the school will be compromised by additional traffic and that the school will be oversubscribed to the detriment of children from surrounding villages.

Kilmeston Parish Council

- Support Cheriton PC objection to the application.
- Will prejudice the attendance of Cheriton school by Kilmeston children as it is already oversubscribed.
- Safety of children will be affected by more traffic and having to go to other schools.

Governors of Cheriton School.

- School numbers have increased since the site was last in use and consequently the traffic associated with the school. For the safety of children it is essential that visibility from the site access is improved and speed controls provided.
- The access improvement will reduce the open space to the front of the school so compensatory improvements to re-site gas tanks should be required.
- The play area extension is welcome but the school does not have funding to lay out the area and in view of the development increasing pupil numbers and creating more pressure on school facilities, the developer should be required to lay out the play area.

The Winchester Group for Disabled People

- Request that the dwellings be made as accessible as possible to take into account the needs of disabled people.

Letters of representations have been received from 34 Neighbours.

Following receipt of amended plans the application was re-advertised which resulted in additional objections including a petition with 77 names (not signatures).

These raised the following concerns,

- Traffic / inadequate access / conflict with school traffic
- Inadequacy of school and other facilities to serve such a large development.
- Overdevelopment of site - density too high, large proportion of big houses. PPG3 being quoted without proper regard to all factors, these should restrain density eg access limitations and character of village.
- Out of keeping with character of area,
- Drainage and flood risk, location of sewage plant will require discharge to be pumped uphill.
- Contamination - any development of site must fully resolve contamination issues.
- Ecology – bats have been observed on the site, which is a protected species.
- The development should enhance village facilities, new village hall, allotments, parking for the school, footpath, open space

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- Employment use will attract very large vehicles and add to traffic dangers, pollution and disturbance.
- Inadequate parking being provided.
- Protection of existing trees to southern boundary and on eastern side of site.
- Amendments do not address the concerns raised by the original representations.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, H5, H7, H8, EC2, EC3, R2, T4, T5, T6,

Winchester District Local Plan

- H.1, H.5, H.7, S.13, EN.5, RT.3, HG.6, HG.7, T.9, T.11, T.12,

Winchester District Local Plan Review Deposit and Revised Deposit:

- H.2, H.5, H.7, S.7, DP.1, DP.3, HE.4, HE.5, RT.3, T.4, T.5,

Supplementary Planning Guidance:

- Achieving a Better Mix in New Housing Developments
- Housing Monitoring Report
- Open Space Strategy
- Landscape character assessment
- Conservation area assessment Feb 1998.

National Planning Policy Guidance/Statements:

- PPS 1 Delivering Sustainable Development
- PPG 3 Housing
- PPG 4 Industrial and Commercial Development by Small Firms
- PPS 7 Sustainable Development in Rural Areas
- PPG 9 Nature Conservation
- PPG 13 Transport
- PPG 15 Planning and the Historic Environment

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Detailed design and residential amenities
- Highways
- Public open space provision
- Site contamination
- Nature conservation
- Historic heritage/conservation area/listed building
- Drainage/flooding
- Affordable housing
- Comments on representations

Principle of development

- The principle of mixed development has been set by Proposal S.7 of the WDDL(R).
- The previous Local Plan allocated the site entirely for employment purposes and the new Local Plan Review policy still favours the development of a major part of the site for employment use.
- However, since the previous employment allocation drew no interest and government advice now encourages planning authorities to review employment land allocations with a view to increasing the supply of residential land the present proposal is considered acceptable in principle.

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- In considering objections to the Local Plan Review, the Inspector rejected calls to increase the size of the allocation and reduce the level of employment provision, recommending that no change be made to the policy S.7 save for criterion (i) to prescribe that business uses (Use Class B1) will constitute not less than 35% of the development's floorspace.
- The development now proposed also meets the other requirements of S.7 with regard to affordable housing provision, land for an extension of the school playing area and improvement of the access.
- It also achieves a density of 30 dwellings per hectare over the residential part of the site.

Impact on character of area

- Development within the conservation area is of an organic nature and fairly tight in its form but includes small cottages and larger houses.
- The proposed development reflects the variety of property types, sizes and materials and in its amended form removes the dominant 'manor house' and garage of the origin proposal to form a more coherent grouping responding to the architect's panel comments.

Detailed Design and Residential Amenities

- The design of the houses adopts a traditional form and materials. Originally the use of thatched roofs for the affordable terrace and two of the detached houses was proposed but this has been amended to the use of clay tiles. Materials samples will be required to be approved by condition, as will landscaping details, boundary treatments and surfacing materials.
- None of the properties have any impact on the amenities of existing properties.
- The development will be seen in longer views across the valley but this impact will be tempered by the selection of materials and further planting.

Highways

- The constraints of the existing access have long been acknowledged in the Local Plan provisions for this site. The presence of the school, the buildings to the north side of Chapel Lane and the narrow bridge plus the Conservation Area status leave little scope for improvement to the access.
- The application is supported by a transport assessment and it has been shown that traffic movements from the site will be less than for the last use as a builders yard/sawmill and will not be of the same nature of heavy commercial vehicles.
- The current proposal also achieves improvement to the access without unduly compromising the character of the Conservation Area.
- By setting back the boundary wall to the school a 4.8m carriageway width can be achieved which will improve visibility and allow two vehicles to pass and for the provision of a footpath to the southeastern side with a minimum width of 1.4m.
- The 3.7m pinch point will maintain low vehicle speeds, as vehicles exiting the site will at that point be required to give way to vehicles entering the site.
- The proposals also include measures to improve pedestrian safety within the loop road.
- It is therefore considered that the level of development proposed is acceptable in highway terms.

Provision of affordable Housing and Public Open Space

- The proposal provides for 33% affordable housing in the form of a terrace of 6 cottages split into ground and first floor flats and now also includes two of the two bedroom live / work units.
- An area of 0.29 hectares is provided for public open space on the eastern side of the site outside of the settlement boundary. This area should accommodate a Local Area for Play (LAP) which is required for developments of 15 or more dwellings. It is close to all the dwellings and is overlooked by the adjacent houses to provide security. Additionally the area can provide space for a kick-about area or other sports use and its provision and preparation is included as part of the legal agreement heads of terms set out in the recommendation.

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Site Contamination

- Although this application is supported by an environmental assessment in respect of potential site contamination from the former uses, it was prepared in 1999 on behalf of the owners.
- This is not considered adequate both because it is not up-to-date and because it is not comprehensive in regard to the scope of the present application.
- The applicant has not been willing to commit to the considerable expense of a further survey without some assurance of an in-principle acceptance of the development proposed.
- A 'Grampian' condition is therefore proposed requiring a further site investigation and report before development commences.

Nature Conservation

- As the site has been unused for a long time there is likely colonisation by flora and fauna of ecological importance including breeding birds, reptiles and bats.
- A 'Grampian' condition is therefore proposed requiring an ecological survey and report before development commences.

Historic heritage/conservation area/listed building

- The site is not within the conservation area and does not contain any listed buildings or directly impact on any listed buildings.
- The main impact for the conservation area is the alteration to the school wall and widening of school Lane but providing the wall is rebuilt with the original materials this is considered acceptable.
- The conversion of the existing barn and adjacent building is considered sympathetic and will enhance the appearance of these buildings.

Flooding Drainage

- The application is supported by a drainage report. There is no mains drainage available and the site will be served by a package sewage treatment system. Surface water drainage will be by soakaways. These provisions will be required to meet building regulation and Environment Agency requirements

Comments on representations

- As can be seen from the summary of representations above there is considerable opposition to this proposal. The greatest concerns are in regard to traffic and the amount of development proposed.
- As explained above, it is not considered that a highways objection can be substantiated having regard to the fall back position. Regarding the amount of development, the proposal accords with the local plan provision and is not considered inappropriate.
- Objections to the development going beyond the defined boundary of the S.7 designation in the Local Plan refer to the fact that the built form extends tightly to the boundary with the gardens extending beyond into countryside area. This is not however considered unacceptable as the built form remains within the settlement boundary and the open space effectively limits any further extension of the development into the countryside. Policy RT.7 permits recreation use in the countryside in edge of settlement locations.
- The site is complex in regard to the number of issues involved and must respond to current policy requirements but it is considered that these issues can be addressed through the conditions and legal agreement requirements set out which will secure the necessary safeguards as outlined in this report.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for highway improvements and open space, the Local Planning Authority has had regard to the tests laid down in Circular 1/97 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

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Recommendation

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

1. A financial contribution of £25,000 towards highway improvements;
2. The provision of 8 units of affordable housing;
3. A financial contribution of £44,484. towards the provision of public open space through the open space funding system; (nb this is likely to be offset by the open space provision being offered and the inclusion of a LAP)
4. 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;
5. The provision of a public footpath through the site and continuing eastwards to join the existing public footpath network.
6. The provision, preparation, and laying out of the school play area extension and the dedication of such area to the County Council.
7. The provision, preparation, including any necessary measures to deal with contamination, seeding and laying out of the area of public open space for adoption.

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

and subject to the following condition(s):

Conditions/Reasons

- 1 The development hereby permitted shall be begun before the expiration of five 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.

- 2 Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.
 - (a) The design of all buildings, storage sheds and cycle stores, including the colour and texture of external materials to be used together with samples of all external facing and roofing materials.
 - (b) The alignment, height, materials and finished colour of any retaining walls or structures and all boundary treatments including all walls, fences and other means of enclosure.
 - (c) Details of the provision to be made for the storage and disposal of all waste material from the employment units and from the residential units including the siting, design and materials for any bin storage areas or collection points.
 - (d) Details of the siting, design, finish and means of enclosure for any fuel oil or gas storage tanks. Any oil tanks shall incorporate adequate spillage containment facilities.
 - (e) The finished levels, above ordnance datum, of the ground floor of the proposed building(s), and their relationship to the levels of any existing adjoining buildings.
 - (f) The details of materials/treatment to be used for hard surfacing.

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- (g) Details of the siting, external appearance and materials to be used for any statutory undertakers or service provider's equipment such as electricity substations, gas governors, telecommunication cabinets.
- (h) Details of lighting including any street lighting and lighting for security or other purposes within the employment part of the site.
- (i) The provision to be made for contractors vehicles parking and plant, storage of building materials and any excavated materials, huts and all working areas.
- (j) Access facilities for the disabled.

Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

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

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

- 4 All alterations to existing buildings shall be undertaken using matching materials.

Reason: To ensure the detailing and materials maintain the architectural interest of the building.

- 5 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.

- 6 No demolition or alteration to structures on the site shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation to be submitted to and approved by the Local Planning Authority in writing.

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

- 7 No development pursuant to the permission hereby granted shall commence until the applicant or their agents or successors in title has undertaken a detailed ecological investigation and survey of the site and submitted the findings to the Local Planning Authority for consideration together with a scheme of mitigation and programme for implementation of such measures. The approval in writing of the LPA shall be obtained before any work is commenced and the approved details shall be fully implemented as approved.

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

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- 8 No development pursuant to the permission hereby granted shall commence until the applicant or their agents or successors in title has undertaken an up to date investigation and risk assessment of the potentially contaminated land and a written report has been submitted to the Local Planning Authority for consideration together with a scheme of mitigation and programme for implementation of such measures. The approval in writing of the LPA shall be obtained before any work is commenced and the approved details shall be fully implemented as approved before any residential accommodation on the site is first occupied and any area of open space brought into use.

Reason: To ensure that any contaminated land is identified and suitable measures implemented to avoid human exposure to such contamination.

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

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

- 10 The live/work units incorporated in the development hereby permitted shall be retained for such purposes with the ground floor area being used for business purposes class B1 of the Town and Country Planning Use Classes Order 2005 or any equivalent class in any order revoking and re-enacting such order. The premises shall not be used other than for mixed employment and residential purposes.

Reason: To ensure that the development maintains the provision of a range of employment opportunities.

- 11 No manufacturing, processing or other activity of any kind and no storage of materials, products, plant or equipment shall take place outside of the employment units hereby permitted without the express written approval of the Local Planning Authority being first obtained.

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

- 12 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 development permitted by Classes A, B, C, D, E, of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

- 13 No more than 12 of the 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 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

- 14 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.

- 15 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.

- 16 The building(s) 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.

- 17 The (garages / 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 / parking spaces) in the interests of local amenity and highway safety

- 18 Before the development hereby permitted is commenced the road layout for the development shall be subjected to an independent safety audit. The findings of the audit shall be submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with any recommendations of the safety audit.

Reason: In the interests of highway safety.

- 19 No part of the development shall be occupied until such time as the works shown in principle on drawing number 2004.1824.003 or an appropriate highway improvement scheme as agreed by the County Council has been implemented.

Reason: In the interests of highway safety.

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- 20 No development approved by this planning permission shall be commenced until a scheme for the disposal of foul drainage has been submitted to and approved in writing by the Local Planning Authority.

Reason: The proposal is adjacent to a Protected Right, which according to the Environment Agency records is the sole source of drinking water for property.

- 21 No development shall be commenced until a scheme for the provision of a surface water regulation system is designed and implemented to the satisfaction of the Local Planning Authority and supported by detailed calculations,

Reason: The runoff generated by the 1% probability storm must not exceed the runoff from the undeveloped site to prevent flooding. The scheme should include a maintenance programme and establish ownership of the drainage system.

- 22 No development approved by this planning permission shall be commenced until
- a) A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the LPA prior to that investigation being carried out on the site.
The investigation must be comprehensive enough to enable:
a 'risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and
refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements.
 - c) The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.
 - d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site.

Reason: To ensure that the proposed site investigations and remediation will not cause pollution of Controlled Waters

- 23 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the LPA that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report

Reason: To protect Controlled Waters by ensuring that the remediated site has been reclaimed to an appropriate standard

- 24 No soakaway or sustainable urban drainage system shall be constructed in contaminated ground.

Reason: To prevent pollution of groundwater

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- 25 The method of piling foundations for the development shall be carried out in accordance with the scheme to be approved in writing by the Planning Authority prior to any development commencing.

Reason: The site is contaminated/potentially contaminated and piling could lead to the contamination of the underlying aquifer.

- 26 The method of demolition and construction for the development shall be carried out in accordance with a scheme to be approved in writing with the Local Planning Authority prior to any development commencing.

Reason: The site is in a very sensitive location with respect to groundwater, and in order to protect the quality of drinking water supplies the working methods will need to be carefully considered.

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:-
Hampshire County Structure Plan Review UB3, H5, H7, H8, EC2, EC3, R2, T4, T5, T6,
Winchester District Local Plan Proposals: H.1, H.5, H.7, S.13, EN.5, RT.3, HG.6, HG.7, T.9, T.11, T.12,
Emerging Development Plan:-
WDLP Review Deposit and Revised Deposit: H.2, H.5, H.7, S.7, DP.1, DP.3, HE.4, HE.5, RT.3, T.4, T.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.
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.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

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.