

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE**7 May 2008****Attendance:**

Councillors:

Jeffs (Chairman) (P)

Baxter (P)
Busher (P)
Huxstep (P)
LipscombJohnston
Pearce (P)
Ruffell (P)**Deputy Members:**Councillor Higgins (Standing Deputy for Councillor Johnston)
Councillor Read (Standing Deputy for Councillor Lipscomb)
Councillor Tait (Standing Deputy)**Others in Attendance who did not address the meeting**

Councillors Barratt and Mather

Officers in Attendance:Mr J Hearn (Development Control Team Manager, East)
Mrs J Pinnock (Principal Planner)
Mrs P Horsler (Planning Solicitor)
Mr N Culhane (Highways Engineer)
Mr K Cloud (Arboricultural Officer)
Ms L McCullogh (Senior Engineer, Highways Department, Hampshire County Council)

1. APOLOGIES

Apologies were received from Councillors Johnston and Lipscomb.

It was noted that the meeting was being held after the City Council Elections on 1 May 2008, but before the Annual Meeting of the Council on 14 May 2008, when appointments to bodies for the 2008/09 Municipal Year would be made; therefore the 2007/08 membership of the Planning Development Control Committee was still applicable for this meeting. Amongst those Members who had served on the Committee but were not re-elected were (former) Councillors Beveridge, Saunders and Sutton. Councillor Tait attended the meeting as the Deputy for the Conservative Group vacancy on the Committee created by Councillor Saunders.

2. **CHAIRMAN'S ANNOUNCEMENT**

The Sub-Committee met at the Guildhall, Winchester where the Chairman welcomed to the meeting approximately ten local residents, together with representatives of the applicants.

3. **HIGHCROFT, ROMSEY ROAD, WINCHESTER - CASE REFERENCE 07/03187/FUL**

(Report PDC742 refers)

At its meeting on 24 April 2008, the Planning Development Control Committee had agreed to refer determination of the application to the Viewing Sub-Committee, so that Members could consider the application in further detail, given the scale of the application, the amount of traffic that it would generate and the impact of traffic issues.

Immediately prior to the public meeting, the Sub-Committee visited the application site. Members viewed the existing access onto Romsey Road (which was to be retained), the exit onto Romsey Road and access serving Sleepers Hill (both of which were to be closed). The Sub-Committee also viewed the proposed pedestrian access from the site onto Sleepers Hill and the on-site landscaping. Councillor Mather (as a Ward Member) and Councillors Fall and Barratt (as adjacent Ward Members) accompanied the Sub-Committee on-site, but Councillor Fall was unable to attend the subsequent public meeting.

At the public meeting, Mrs Pinnock introduced the application to the Sub-Committee.

The site was in use by the Winchester and Eastleigh Healthcare NHS Trust as offices and the application proposed to demolish all but one of the existing buildings to provide 88 dwellings with ancillary parking and landscaping. The only existing building the application sought to retain was the Lodge, which fronted onto Romsey Road, and it was intended that this building be converted to provide 227 square metres of B1 Class office space.

The dwellings were to be arranged in eight distinct blocks, to be served from the existing main access onto Romsey Road. The dwellings would provide 64 flats (13 x one bedroom units and 51 x two bedroom units) and 24 x three bedroom dwellings. At the south west corner of the site, furthest from the access onto Romsey Road, the dwellings were to be arranged in a semi-circular crescent around a central tree.

Mr Hearn addressed the Sub-Committee on the urban design issues relating to the application. He explained that the application had been subject to comprehensive negotiations between the applicant and officers, which had resulted in the proposed arts and crafts style, constructed from good quality soft red brick with high quality detailing around features, such as doors and windows. He also explained that, amongst other features, the application made use of timber windows and frames, generous eave overhangs and cast iron rainwater guttering and downpipes. However, despite the applicant's inclusion of these details at the application stage, officers recommended an amendment to proposed Condition 20 to include additional details to be submitted before development could commence.

In concluding, Mr Hearn summarised that the proposal was a high quality scheme and that the pedestrian link provided a good opportunity for the public to enjoy the architecture of the proposed buildings and the place that would be created.

Ms Pinnock also recommended to the Sub-Committee a number of minor changes and additions to the Conditions set out in the Report. These were to Condition 13, after “no development” to add “...or demolition”; a Condition to include tree protection; an additional Legal Agreement to cover Traffic Management Measures along Romsey Road.

During the public participation element of the meeting, Mr Church (a resident of Romsey Road) spoke against the application. In summary, he stated that the existing access (which was to be retained) was dangerous and had been the scene of numerous minor accidents, few of which he suggested had been reported and recorded. He therefore suggested that, given the number of vehicles that would use the site, an additional access/exit was required.

Mr Luken (on behalf of the applicant) spoke in support of the application. In summary, he reiterated the comprehensive negotiations that had been conducted with officers and that there had been no objections raised against the application from any of the statutory consultees. He added that the change of use reduced the amount of traffic visiting the site, resulting in a predicted 45% drop in the mornings and 27% in the evenings. However, Mr Luken offered a financial contribution to paint “Keep Clear” markings on Romsey Road to ease egress from the site during peak hours.

In response to the above comments, Ms McCulloch confirmed that the traffic generation of the new, predominately residential, scheme was likely to be less than its existing use. She explained that the existing access onto Sleepers Hill would not be continued, as it was substandard and because Sleepers Hill was an unadopted road. She had recommended that the other existing exit onto Romsey Road be closed, as she considered that it was safer for the site’s traffic to enter and exit onto Romsey Road from a single point. She added that the existing exit-only access was very little used.

Ms McCulloch also welcomed the applicant’s willingness to make a financial contribution to the Highways Authority to enable “Keep Clear” markings (or similar) to be painted on the surface of Romsey Road, by the site’s access.

She also welcomed the applicant’s acceptance that a small strip of land at its boundary with Romsey Road would be reserved for its possible use as part of the County Council’s bus priority scheme, linked to the new Park and Ride site. Mr Hearn added that, until called upon by the County Council, this slither of land would remain in the ownership of the applicant and be maintained by the management company.

In response to a suggestion, Ms McCulloch explained that it was not desirable to erect part-time traffic lights on Romsey Road to serve the access, as this was likely to disproportionately delay traffic on one of the main artery roads into Winchester.

During her presentation, Mrs Pinnock had explained that some of the dwellings around the crescent included internal garages. Although these were smaller than the standard usually required by the Council, officers had raised no objection as each dwelling had a separate cycle storage area.

In response to concerns that the site might generate off-site parking, Mr Culhane explained that the proposed 175 car parking spaces and 169 cycle spaces met the necessary requirements.

Members also discussed the proposed pedestrian access from Sleepers Hill, at the south west of the site, and that it would provide links from Romsey Road, through

Dawn Gardens and onto Stanmore. This provided an easy access to the existing childrens' play-area at Stanmore and the applicant was therefore not required to duplicate these facilities on-site. In response to a question, Mrs Pinnock explained that, if granted, the applicant was required to make a contribution of £79,540 towards the Open Space Fund or such appropriate sum as set out in the Council's Open Space Strategy Scales 2007 – 2008 together with a Bond, a commuted maintenance sum and supervision fees in respect of any open space to be transferred to the Council.

In noting that the pedestrian link onto Sleepers Hill would be shared with cyclists, the Sub-Committee agreed that "cyclists dismount" signs should be erected along this path.

During debate, a Member suggested that the application should have been subject to a Planning Working Party, to include a greater level of Member and public input to the pre-application stage. Mr Hearn stated that, whilst pre-application public consultation was encouraged by the Council, it remained the responsibility of the applicant.

The Sub-Committee also discussed the heights of the proposed development and Mr Hearn explained that these were similar to the existing buildings and beneath the level of the boundary landscaping. It would therefore not dominate long distance views of the area.

In response to a Member's concern, Mr Hearn explained that the applicant intended to retain the current mature landscaping around the boundaries, which would be reinforced with additional planting.

During the consideration of drainage issues, Mrs Pinnock explained that Southern Water had, following the publication of the Report, removed their concern regarding surface water run-off and she reported that the applicant had confirmed that surface water would run into sustainable underground drainage. If this was done, the existing foul sewer would have sufficient capacity to serve the proposed development. Members also noted that the detail of the car park's surface had yet to be determined, although it would need to be permeable, given its proximity to protected trees.

In response to a Member's concern that, at 52 dwellings per hectare, the density of the development was much higher than the surrounding area of Sleepers Hill, Mr Hearn explained that the distinct nature of the site had been acknowledged in the Local Area Design Statement. In addition, he added that a large number of one and two bedroom flats had numerically inflated the density. Had the same built form provided more town houses and less flats then the density would have been less.

Mr Hearn also commented that 40% of the dwellings on the site would be affordable and that these were to be pepper-potted around the site. The details of this had been negotiated with the Council's Housing Enablement Team.

At the conclusion of the meeting the Sub-Committee agreed to grant planning permission, subject to securing legal agreements and conditions (and as amended above) as set out below:

RESOLVED:

That provided legal agreements were entered into with the City and County Council to secure:

- The provision of on site open space and a payment in lieu
- The provision of 40 % affordable housing plus a commuted sum equal to 0.2 of a dwelling
- The provision of traffic management measures
- The dedication of a strip of land to HCC for localised widening to accommodate bus priority in association with Park and Ride (South)
- The provision of a public footpath link through the site connecting Romsey Road to Sleepers Hill

planning permission be granted, subject to the following Conditions:

NB condition 20 will be extended to include the submission of additional architectural detailing of the scheme which have not been included in the 'Architectural Details document' submitted by Committee.

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

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

2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the 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.

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

3 Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved details.

3 Reason: To ensure satisfactory foul sewerage and surface water disposal.

4 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.

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

5 Prior to the commencement of the development approved by this planning permission (or within such extended period as may be agreed with the Local Planning Authority), a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall conform to current guidance and best practise and include unless otherwise agreed in writing by the LPA:

a) A desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;

b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;

c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

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

6 Prior to the occupation of the development, written verification by the competent person approved under the provision of 05 clause (c) shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under the provisions of conditions 05 clause (c) has been implemented fully unless varied with the written agreement of the Local Planning Authority in advance of implementation.

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

7 If, during any stage of the development, unexpected contamination is identified then no further development shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until an assessment by the competent person approved under the provisions of 05 clause (c) has been completed and a scheme to deal with any additional contamination shall be submitted to and approved in writing by the Local Planning Authority.

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

8 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risk arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

8 Reason: The applicant has identified a number of potential sources of contamination in the Geo-Environmental Report (reference 12370040/001) however the Environment Agency do not consider that these have been fully investigated. The site lies above the Upper Chalk Formation, a major aquifer. The Environment Agency is concerned that any contamination present could potentially pose a risk to groundwater.

9 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted an obtained the written approval of the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

9 Reason: To protect controlled waters.

10 No filtration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

10 Reason: To protect controlled waters.

11 Piling or any other foundation designs using penetrative methods shall not be permitted, other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

11 Reason: To protect controlled waters.

12 Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

12 Reason: To prevent the increased risk of flooding and to improve water quality.

13 No development or demolition 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 contour;
- 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);
- proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.);
- retained historic landscape features and proposals for restoration;
- 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;
- manner and treatment of watercourses, ditches and banks;
- implementation programme;

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

14 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.

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

15 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, specifically the woodland area to the front of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

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

16 The garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic storage purposes, and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

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

17 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, F, G, H of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

18 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 or B of Parts 2 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

19 Details of a scheme for protecting the proposed dwelling(s) from noise from road traffic shall be submitted to and approved in writing by the Local Planning Authority before development commences. Any works which form part of the approved scheme shall be completed before any dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

19 Reason: To ensure that acceptable noise levels within the dwellings and the curtilage of the dwellings are not exceeded.

20 The architectural detailing of the buildings shall be carried out strictly in accordance with the drawings contained in the document entitled 'Architectural Details' submitted by Paul Hewett RIBA and received by the Local Planning Authority on the 28 February 2008. In addition, all of the windows and doors shall be constructed of timber.

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

21 Prior to any demolition, construction or groundwork commencing on the site, protective measures, including fencing and ground protection shall be installed, in accordance with the content and recommendations of the tree survey, arboricultural implications assessment and arboricultural method statement written by ACD Arboriculture with particular reference to the tree protection plan (BSH15787-03).

The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the tree protection plan. Telephone 01962 848317.

The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848317.

No arboricultural works shall be carried out to trees other than those specified and in accordance with the Method Statement

Any construction, demolition, installation of services or any other activity likely to be harmful to or compromise the root protection areas of trees shall be carried out and supervised in accordance with the arboricultural method statement

Any deviation from works prescribed or methods agreed in accordance with the Method Statement shall be agreed in writing to the Local Planning Authority.

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

22 No development shall commence until details of signage relating to shared cycle and pedestrian footways and cyclists dismount signs have been submitted to and approved in writing by the local planning authority. The details shall include the siting, size and text of the signs. The approved signs shall be erected before the occupation of the penultimate dwelling and thereafter retained.

22 Reason: To ensure appropriate signage for the shared pedestrian and cycle route through the site.

Informatives

1. This permission is granted for the following reason:

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

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

Hampshire County Structure Plan Review: H1, T5
Winchester District Local Plan Review 2006: DP.1, DP.3, DP.4, DP.5, DP.6, DP.8, DP.10, DP.13, CE.5, CE.10, HE.1, H3, H5, H.7, E.2, RT.4, T.1, T.2, T.3, T.4, T.5, T.6, T.8, W.1

3. The applicant/development should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester. S023 9EH. Tel: 01962 858600, or www.southernwater.co.uk.

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

5. 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.

6. The applicant is advised that there may be asbestos within the fabric of the building. The removal of such materials may be subject to Licensing Regulations and Codes of Practice. For further information contact the Health and Safety Executive, Priestly House, Priestly Road, Basingstoke, Hampshire. RG24 9NW. Tel: 01256 404000.

The meeting commenced at 11.00am and concluded at 12.40pm.

Chairman