

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	08/00944/FUL	Valid Date	1 April 2008
W No:	00683/26	Recommendation Date	10 June 2008
Case Officer:	Mr Tom Patchell	8 Week Date	1 July 2008
		Committee date	
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal:	Erection of 35 no. dwellings with associated garaging and car parking, new access, landscaping (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)
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Site:	Downlands Estate Development Downlands Way South Wonston Hampshire
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Open Space	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	N	N	Y=10	Y/N	Y/N	Y/N

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

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Item No: 2
Case No: 08/00944/FUL / W00683/26
Proposal Description: Erection of 35 no. dwellings with associated garaging and car parking, new access, landscaping (This application may affect the setting of a Public Right of Way)
Address: Downlands Estate Development Downlands Way South
Wonston Hampshire
Parish/Ward: South Wonston
Applicants Name: Bellway Homes (Wessex)
Case Officer: Mr Tom Patchell
Date Valid: 1 April 2008
Site Factors:
Recommendation: Application Permitted

General Comments

This application is reported to Committee due to the number of objections received. This planning application is for the same development, number of dwellings and layout as planning application ref: 08/00812/OUT, Item 1 on this agenda.

This planning application has been submitted following the approval of the previous outline planning application, ref: 07/01417/OUT. The site has been sold to the current applicants, Bellway Homes, who still wish to develop 35 dwellings.

Within this planning application, 33 of the 35 dwellings would be contained within buildings that are 2 storeys in height, with only 2 dwellings being 2½ storeys in height.

Site Description

The site is approximately 1.07 hectares of land set between the eastern and western branches of Downlands Way.

To the north of the site are the rear gardens of detached dwellings that front onto Downs Road.

In two instances, bungalows have been developed within the long rear gardens.

The northern boundary has a number of large mature trees and hedging, providing a screen to the rear gardens and one of the bungalows.

To the eastern boundary are the detached and terraced dwellings of Downlands Way and Oaklands.

No.39 Downlands Way is set within 4 metres of the eastern boundary of the site and has two first floor windows in its side elevation overlooking the land.

Within Oaklands, Nos. 1 to 3A have their rear elevations overlooking the site. These properties have relatively small rear gardens and the dwellings are set approximately 1 metre below the level of the application site.

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The rear boundaries to the dwellings in Oaklands are delineated by low bramble hedging, which allows for views over the adjoining land.

Adjacent to the north eastern corner of the site, No. 3B Oaklands, has its side elevation facing onto the site, but is screened from view by mature trees on the boundary.

To the south of the site is The Ox Drove with agricultural land beyond. To the south east of the site there are mature trees with a post and rail fence and open views of the land beyond.

On the southern boundary of the site, there is a pair of detached dwellings, which have ground and first floor windows overlooking the site, and are currently screened by the central belt of trees that run north to south through the site.

To the west of the site are dwellings within the western branch of Downlands Way. To the boundary, a substantial hedge screens the windows of the adjoining properties from overlooking the site.

The site itself slopes from north to south and west to east.

Within the application site, there are three distinct characters. To the east is an overgrown area of grass with paths criss-crossing it. The central area contains a belt of mature and maturing trees, some of which are covered by an area Tree Preservation Order, and many of the trees within the belt are self-seeded. The area of woodland currently provides screening for a small complex of stables. The western third of the site is paddock and was previously used for horse riding.

The character of the surrounding residential development comprises detached, semi-detached and terraced properties with a mix of housing styles from bungalows to two-storey dwellings. The dwellings are set back from the highway by front lawns and driveways, which provides an open character to the area.

Proposal

The proposal has indicated the retention of the group of TPO'd trees through the centre of the site and it is proposed to provide a 'spine' of public open space running through the centre of the site, from north to south, within which most of the protected trees are located. A footpath is proposed to connect the development with the Ox Drove.

Each branch of Downlands Way would be extended to provide vehicular access for the development. However, this would not result in the creation of a through route for traffic. Within the centre of the site it is proposed that an access of restricted width be provided for pedestrian and cycle access, with only emergency vehicular access possible.

The design of the proposed dwellings would be simple in appearance, with design features including tile hanging on first floor gable ends, gable features projecting into the roof over first floor windows, brick soldier arches above windows and mono-pitched roofs to ground floor accommodation and integral garages.

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Relevant Planning History

06/02159/OUT - W00683/23 (Amended plans) Erection of 40 no. dwellings with associated access and parking (Outline) - Downlands Estate Development Downlands Way South Wonston Hampshire - Application Refused - 10/04/2007 (Committee decision)

07/01417/OUT - W00683/24 35 Dwellings (comprising five 1-bed, thirteen 2-bed, fourteen 3-bed and three 4-bed dwellings) with associated access; hard and soft landscaping (Resubmission) (Outline) - Downlands Estate Development Downlands Way South Wonston Hampshire - Application Permitted - 28/08/2007 (Committee decision)

Consultations

Engineers (Highways): No objection subject to conditions (included within Condition 2)

This current proposal would be served by the same access points as the previously approved scheme and is therefore acceptable.

Environmental Protection:

No adverse comments to make concerning the application. However, given the scale and sensitive nature of the development, appropriate contaminated land conditions should be attached to any approval (Conditions 11, 12 and 13).

Landscape: No objection subject to landscaping condition (Condition 6)

The submitted landscape scheme fails to capitalise on the opportunity for replacement tree planting, which should include much larger growing tree species.

Open Space: No objection

Satisfactory layout, arrangement and quantity (1,292m²), quality and accessibility of public open space is being provided.

It will be important to ensure that the retained trees are adequately protected, from initial site clearance operations up to the completion of the building phase. (Condition 9)

Natural England: Awaiting comments on submitted Ecological Report and will be verbally updated at Committee.

Strategic Housing: Supports, subject to the provision of appropriate affordable housing. The required provision is for 10.5 units. This is to be provided by means of 10 affordable housing units on site, and a commuted financial contribution equivalent to 0.5 of an affordable dwelling.

The affordable housing to be of the following type and tenure:

Social Rent

2 No 1 bedroom flat
2 No 3 bedroom houses
1 No 4 bedroom house

Newbuild Homebuy

2 No 1 bedroom flat
3 No 2 bedroom houses

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Hampshire County Council (Development and Biodiversity): Objects

The ecological report is the same as that which was submitted in 2006 and there are concerns over the lack of detailed information the report contains.

The report identifies that the site has the potential to support bats, reptiles, badgers and invertebrate species and yet full surveys have not been undertaken. In addition, the proposals would result in the loss of a suitable habitat for foraging and commuting bats together with bat roosts and suitable sites for reptiles.

All protected species surveys should be undertaken prior to the determination of an application.

Hampshire County Council (Countryside Planning): No objection

Unlike previous applications this one does not propose to use The Ox Drove restricted byway.

Hampshire Constabulary:

If planning permission is approved, the applicant should be encouraged to apply for an award under the ACPO Secured by Design Scheme.

Representations

South Wonston Parish Council: Comments

Opposes the 2.5 storey dwellings in terms of their height in relation to the existing dwellings in the surrounding area. In addition, there is an issue with regards to the dwellings to the east of the site as a result of the change in levels of the land to the dwellings in Oaklands.

Not satisfied with proposed traffic flow figures.

Existing residents have problems with shared driveways.

Provision of a footpath link to Downs Road is welcomed, however the amenity of the adjoining occupants should be considered. The existing track is only wide enough for a vehicle and a conflict could arise with pedestrians and the Parish Council would not wish to see the trees or hedging sacrificed.

The proposed play area should not be provided purely because of policy, should assess the need once the dwellings are occupied.

The presence of bats and slow-worms should be fully investigated, with relocation undertaken in an appropriate manner.

10 letters received objecting to the application for the following reasons:

- Object to the footpath to Downs Road.
- Noise and disturbance from the associated foot traffic, particularly in the evening, as it is likely to be used as a route to the social club.
- Loss of privacy and potential for malicious damage to property.
- There are already adequate pedestrian routes to Downs Road from the site.
- Proposed footpath would be used by motorcyclists.
- Potential conflict with vehicular traffic using the route.

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- 2½ storey dwellings will encourage others to increase the height of their dwellings.
- Plot 28 has been moved closer to the northern boundary, which will detrimentally affect the amenities of the adjoining dwelling.
- There is no parking associated with Plots 26 and 27, leading to parking on the highway.
- Risk of vandalism from the proposed footpath.
- Insufficient width within the proposed footpath to Downs Road, to accommodate a footpath and road.
- Increase in traffic in Downlands Way.
- 2½ storey dwellings out of keeping with the surrounding area.
- Overdevelopment.
- Increase in noise.
- The proposed access points, onto the existing Downlands Way, are too narrow to accommodate service vehicles and the increased traffic.
- 2 and 2½ storey dwellings fronting onto The Downs would be detrimental to the character of South Wonston.
- Plots 12 -14, inclusive, have their front doors fronting onto Lower Road/The Ox Drive, with their garaging/parking to the rear. What is to prevent the occupants parking within and using Lower Road.

Relevant Planning Policy

Hampshire County Structure Plan Review:

No saved policies of relevance

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP.5, DP.6, DP.10, CE.10, HE.1, HE.2, H.1, H.3, H.5, H.7, RT.4, T.1, T.2, T.3, T.4 and T.5

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPS12 Local Development Framework

PPG 13 Transport

Other Planning Guidance

Guide to the Open Space Funding System

Housing Monitoring Report

Movement, Access, Streets and Spaces

Winchester Housing Needs Survey

Planning Considerations

Principle of development

The site is located within the settlement boundary of South Wonston and is not identified as protected recreational open space.

The policies of the adopted Local Plan support residential redevelopment and infilling within the defined settlements providing that the proposed development:

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- Makes efficient and effective use of the land. (The density of the proposed development is approximately 32 dwellings per hectare with the density of the immediate surrounding areas of Downlands Way between 22 and 25 dwellings per hectare).
- Responds positively to the character and appearance of the surrounding area. (The proposed layout of the development does respond positively to the character and appearance of the surrounding area).
- Keeps parking provision to a minimum. (There is a parking ratio of 2.1 spaces per dwelling);
- Does not have an adverse or unacceptable impact on the occupants of adjoining properties. (The proposed layout and size of dwellings would not result in any detrimental effects to the amenities of adjoining occupants);
- Contains sufficient open amenity and recreational space. (Satisfactory layout, arrangement and quantity (1,292m²), quality and accessibility of public open space is being provided).

Within a development of this size there is a need to provide for a mix of housing types and sizes. 50% of the proposed dwellings should be smaller dwellings of one or two bedrooms, with a gross internal floor area not exceeding 75 square metres. Of the 35 dwellings, 18 would have one or two bedrooms with a gross internal floor area not exceeding 75 square metres.

There should also be the provision of an element of affordable housing of 30% of the proposed number of dwellings. The provision of 10 units on site, with a financial contribution equivalent to 0.5 of a dwelling, has been agreed.

Planning Policy Statement 3: Housing (PPS3)

PPS3 promotes more sustainable patterns of development and making better use of previously-developed land. This policy document seeks to provide wider housing opportunity and choice and a better mix in the size, type and location of housing than is currently available, and seeks to create mixed communities. PPS3 also promotes good design in new housing developments in order to create attractive, high-quality living environments in which people will choose to live.

Affordable Housing

The scheme provides affordable housing in accordance with the adopted planning policies, which will be secured through a Section 106 legal agreement.

Achieving a Better Mix in New Housing Developments

There is an emphasis on increasing the proportion of smaller units (one and two bedroom) and encouraging a greater variation in the types of property being built.

As part of the supporting information, a schedule of the proposed housing that could be provided has been submitted. This information indicates that 50% of the dwellings are to be one or two bedrooms with a gross internal floor area of 75 square metres or less.

Impact on character of area and neighbouring property

The density of the proposed development is approximately 33 dwellings per hectare. The density of the surrounding areas is between 16 and 22 dwellings per hectare and therefore the proposed development would represent an increase. However, this would not be detrimental to the character and appearance of the surrounding area.

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The proposed development positively reflects the character and appearance of the surrounding area through the proposed retention of significant areas of landscaping and the properties having a simple appearance, with appropriate design features, and being detached and semi detached dwellings. In the majority of the development, the proposals retain the character of gaps between dwellings, or with the off-setting of a terrace.

As part of the proposals put forward, it is intended to retain a significant area of woodland through the centre of the site. The trees to be retained are all covered by an area Tree Preservation Order and represent a significant feature in the character and appearance of the surrounding area and therefore are considered a significant landscape buffer strip.

The submitted plans would not have a potentially detrimental relationship with regards to the siting of dwellings and the location of car parking to properties on the adjacent boundaries. There would be a distance of approximately 22 metres between the rear elevations of the dwellings within Oaklands and the proposed dwellings.

There are no longer any proposed dwellings with either their rear or side elevations immediately adjacent to the shared boundaries of adjoining dwellings. This has removed an overbearing and detrimental affect to the amenities of the adjoining occupants.

The surrounding development is characterised by two storey dwellings and, whilst the Council is not advocating that there should be a replication of the architectural style of the existing development, the adopted policies of the Winchester District Local Plan require that any proposed development responds positively to the character appearance and variety of the local environment.

It is accepted that a small number of 2½ -storey units could be provided to the southern boundary, without detriment to the character of the surrounding area, or the amenities of adjoining occupants.

It is considered that the proposed 35 dwellings would not detrimentally increase any light pollution within the surrounding area, above that already created by the existing development of South Wonston.

Plot 28 has been moved closer to the northern boundary, as a result of the re-organisation of the dwellings and the removal of a single parking space. Under planning application ref: 07/01417FUL, Plot 28 was approximately 3.2 metres from the northern boundary, whereas within this application it is proposed to be approximately 1.1 metres from the boundary.

However, the northern elevation of the proposed apartment does not currently contain any windows and Condition 13 would prevent the insertion of any additional windows without first gaining planning permission.

The adjoining dwelling, No. 88 Downs Road, is approximately 38 metres from the proposed dwelling and although it would have a height of approximately 7.6 metres this would not result in any detrimental affects to the adjoining occupants by reason of a loss of light or privacy.

It is proposed to provide a pedestrian link from the development onto Downs Road, by utilising the existing access to No. 74 Downs Road. Concern has been raised with regard

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to the suitability of this proposal and possible conflict with the existing vehicular use and possible detrimental affects to the adjoining occupants.

The proposed footpath was approved under the previous outline planning consent, ref: 07/01417/OUT, where the same concerns were raised.

The Highways Engineer has not raised an objection to the proposed dual use of the vehicular access and therefore it is considered adequate to accommodate both pedestrians and the vehicular traffic associated with a single dwelling without conflict to either.

Proposed Condition 14 requires the submission of details to provide a barrier to the southern end of the proposed pedestrian link, which would prevent the use of the track by motorcycles.

A tall hedge exists to the boundaries of Nos. 72, 74 and 84 Downs Road, which would prevent any loss of privacy to the occupants of these dwellings from the proposed pedestrian use, and any potential noise disturbance is considered to be minimal.

Landscape/Trees

Much of the reduction has been caused by the accessing of all proposed dwellings through the site and a need to create an access through the site to the three dwellings fronting Lower Road/The Ox Drive.

Although the area of public open space is being reduced through the centre of the site, the area that remains is still adequate in terms of its quantity and quality with regards to the size of the development.

In addition, the re-arranged northern part has allowed for the retention of the tree belt within the retained open space, rather than a private rear garden, ensuring the long term retention of the trees.

Highways/Parking

The scheme is acceptable from a highway point of view and there is no dispute with the traffic flow figures that have been submitted. The Highways Engineer has, however, stated that the proposed internal road layout could not become an adopted highway in its present form. The applicants and their agents have confirmed that the proposed highway would remain a private road, which is acceptable.

The Rights of Way Officer for Hampshire County has no objections to this proposal as none of the proposed dwellings will be accessed via Lower Road/The Ox Drive.

There is no parking directly outside, or to the side, of proposed Plots 26 and 27. However, it is proposed to provide their parking within the undercroft parking, under Plot 28. It is considered that this parking is close enough to the proposed dwellings that they would still be used and would not lead to the vehicles being parked on the highway.

Plots 12, 13 and 14 are proposed to have their front elevations facing onto Lower Road/The Ox Drive, with their associated garaging/parking and vehicular access to the rear. The proposed development provides vehicular access and parking from Downlands

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Way, without utilising Lower Road/The Ox Drove, which the applicants do not believe that they have a right to use.

There are no conditions that the Council could impose to prevent the future use of the Lower Road/The Ox Drove by any of the occupants within the proposed development. However, if the Lower Road/The Ox Drove was used by the proposed occupants, without demonstrating to Hampshire County Council Rights of Way Officers that they have a right to use the restricted byway, further action could be taken by the relevant Authority.

Planning Obligations/Agreements

In seeking the planning obligations and financial contributions for recreational open space and affordable housing, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 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.

Recommendation

Application Approved, subject to the following conditions and the applicant entering into a legal agreement to secure:

- **Affordable housing – 10 units to be provided on-site, in a location to be agreed with the Housing Strategy and Development Manager.**
- **Financial contribution equivalent to 0.5 of a dwelling**

- **Public open space contributions:**
 - **Open Space - £35,521**
 - **Returnable bond to cover the laying out of the on-site public open space - £25,478**
 - **Inspection fee - £532**

- **Public pedestrian and cycle access through the site in the event that the roads are not adopted, including public access to the Ox Drove.**

- **The provision and maintenance of public open space and play equipment.**

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

Conditions

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

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

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

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

3. 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 and E of Part 1 of Schedule 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.

4. The garages 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.

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

5. 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:

- means of enclosure, including any retaining structures:
- minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting etc).

Soft landscape details shall include the following as relevant:

- written specifications (including cultivation and other operations associated with plant and grass establishment:
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- implementation programme:
- manner and treatment of watercourses, ditches and banks:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- planting plans:
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- hard surfacing materials:
- existing and proposed finished levels or contours.

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

6. 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.

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

Reason: To ensure 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.

8. 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.

9 The existing trees shown as being retained within the Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement - Construction Phase, dated 14 March 2008, prepared by Mark Hinsley Arboricultural Consultants, ref: number APP/5/01/app shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing, in accordance with BS 5837, and as shown by plan ref: number 1231-5, Tree Survey and Tree Protection Plan Construction Phase - Proposed Development. This fencing shall be erected before development commences and shall be retained until the development has been substantially completed.

Reason: To retain and protect the trees which form an important part of the amenity of the area.

10. Prior to the commencement of the development hereby permitted (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.

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The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of Potentially Contaminated Sites – Code of Practice and Contaminated Land Reports 7 to 11, or other supplementary guidance, and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the Local Planning Authority:

- 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 suitably qualified person to oversee the implementation of the works.

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

11. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provisions of Condition10c) 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 Condition10c) has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

12. 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.

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 shall, at any time, be constructed in the northern elevation of Plot 28 hereby permitted.

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

14. No development shall take place until details of the bollards to be erected at the eastern and western ends of the emergency link and the method to prevent vehicular use

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of the footpath link to Downs Road have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the adjoining occupants and to prevent the creation of a vehicular 'through route' within the development.

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: No saved policies of relevance
Winchester District Local Plan Review 2006: DP.1, DP.3, DP.4, DP.5, DP.6, DP.10, CE.10, HE.1, HE.2, H.1, H.3, H.5, H.7, RT.4, T.1, T.2, T.3, T.4 and T.5

3. All works including demolition and construction should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on 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.

4. No materials should be burnt on site. Where allegations of statutory nuisance are sustained by the Environmental Health and Housing Department, and 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. The applicant is advised that Conditions 2, 5, 7, 8, 10 and 14 attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. The Local Planning Authority is unable to give priority to this work and therefore any details, plans or samples required by conditions should be submitted to the Council at least 6 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with the application

The application case number

Your contact details