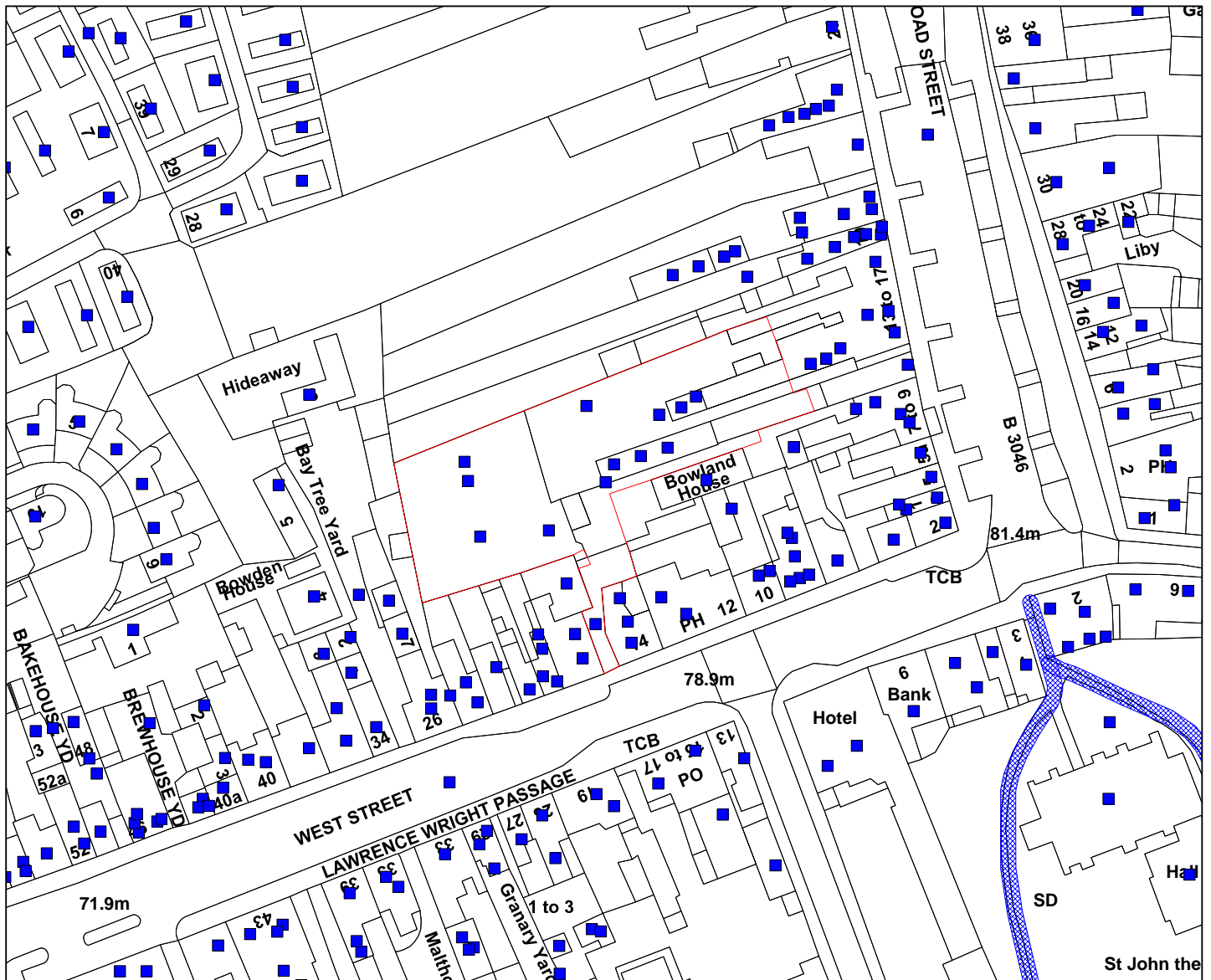


# Stiles Yard, West Street, Alresford

10/02991/FUL

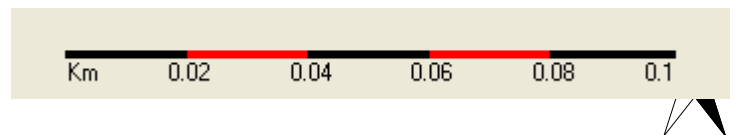


**Winchester**  
City Council



**Legend**

Scale:



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<b>Organisation</b>	Winchester City Council
<b>Department</b>	Development Services
<b>Comments</b>	
<b>Date</b>	09 March 2011
<b>SLA Number</b>	00018301

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**Item No:** 3  
**Case No:** 10/02991/FUL / W08445/14  
**Proposal Description:** (Extension to the time limit for implementing planning permission ref: 08/02243/FUL) Conversion and demolition of existing buildings and new build to provide 9 no. new dwellings comprising: 1 no. four bed, 3 no. three bed, 2 no. two bed and 3 no. one bed dwellings, with associated car parking.  
**Address:** Stiles Yard West Street Alresford Hampshire  
**Parish, or Ward if within Winchester City:** New Alresford  
**Applicants Name:** Mr And Mrs Davis  
**Case Officer:** Mrs Jane Rarok  
**Date Valid:** 18 November 2010  
**Site Factors:** New Alresford - Boundary amendments May 1999, Published November 2001  
Conservation Area  
Within 50m of Listed Building

**Recommendation:** Application Permitted

### General Comments

This application is reported to the Committee because of the number of objections received. It is an application to extend the time limit of an extant permission. It is accompanied by a Listed Building Application (ref: 10/02992/LIS) and a Conservation Area Consent Application (ref: 10/02993/LBC) which are considered elsewhere on this Committee agenda (Items 4 and 5, respectively). In addition to these, there is another pair of planning and listed building applications for the same site (refs: 10/03241/FUL and 10/03242/LIS), which seek to make changes to the approved design of one of the buildings, and which could be determined by the officers under delegated powers, pending the outcome of this application.

### Site Description

This site is an area of land to the rear of buildings which front West Street and Broad Street. It contains two storage buildings associated with a shop on Broad Street, a yard which has formerly been used as car parking and an area of grass to the west. The site measures approximately 0.22ha and is generally flat.

The storage buildings reflect the linear form of the original burgage plots, which extended back to the rear of the buildings on Broad Street. Two of these buildings are curtilage listed and they are generally in a poor state of repair. The buildings around the site, which front West Street and Broad Street to the south and east, are all listed. To the south of the storage buildings is another long building called Bowland House, which is used as offices.

The northern boundary of the site is adjacent to a long, narrow plot which is part of the curtilage of the bookshop on Broad Street. This is predominantly a garden but there is also a two storey outbuilding adjacent to this boundary, which appears to be being used for storage for the bookshop. To the west of the site are residential properties within Bay

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Tree Yard. There is a sycamore tree just outside the northern boundary and some garden and conifer trees within the grassed area to the west.

The site is accessed via a vehicular entrance from West Street. This entrance runs between Nos. 14 and 16 West Street and past No. 16A West Street, a two storey dwelling which fronts east onto the access route. The site is almost completely hidden from public views from West Street and Broad Street, save for the vehicular access from West Street.

### **Proposal**

This application is for an extension of time for an existing extant permission which is due to expire on 1<sup>st</sup> December 2011 (See refs: 08/02243/FUL, 08/02244/LIS and 08/02245/LBC, below). Of the two existing buildings on the site, the approved scheme seeks to convert these where possible and demolish and rebuild where not. It also includes the construction of four other units: one detached 4 bed house, two semi-detached 3 bed houses and a detached 3 bed house. The converted/rebuilt buildings will contain three 1 bed flats and two 2 bed units. The nine units, in total, equate to a density of 40dph.

### **Relevant Planning History**

**08/02243/FUL:** Conversion and demolition of existing buildings and new build to provide 9 no. new dwellings comprising: 1 no. four bed, 3 no. three bed, 2 no. two bed and 3 no. one bed dwellings, with associated car parking - Permitted 1<sup>st</sup> December 2008.

**08/02244/LIS:** Conversion and demolition of existing buildings and new build to provide 9 no. new dwellings comprising: 1 no. four bed, 3 no. three bed, 2 no. two bed and 3 no. one bed dwellings, with associated car parking - Permitted 1<sup>st</sup> December 2008.

**08/02245/LBC:** Conversion and demolition of existing buildings and new build to provide 9 no. new dwellings comprising: 1 no. four bed, 3 no. three bed, 2 no. two bed and 3 no. one bed dwellings; with associated car parking - Permitted 1<sup>st</sup> December 2008.

**10/03241/FUL:** Demolition of existing building and replacement with 2 no. two bedroom semi-detached dwellings - Pending consideration.

**10/03242/LIS:** Demolition of outbuilding and replacement with 2 no. two bedroom semi-detached dwellings - Pending consideration.

### **Consultations**

#### Historic Environment Team - Archaeology:

This application is for an extension of time limit for the implementation of 08/02243/FUL. No additional comments to make on this application, as the extant planning consent is subject to an archaeological condition, which will therefore transfer over to any new consent (Condition15).

#### HCC - Ecology:

The application is submitted with the Biodiversity Survey carried out by Kevin Cook in 2008. Since then, further information has been provided regarding this site. No

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objection, subject to conditions (Conditions 24, 25, 26 and 27).

Engineers: Drainage:

No objection to the extension of time limit for this application

Engineers: Highways:

This application is for an extension of time to a development of 9 dwellings which was granted in 2008 under delegated powers. At the time of the original consent, the access and highway issues were fully considered and it was deemed that there was no demonstrable harm, therefore a highway objection could not be sustained. As this application is merely for an extension of time for a development that has already been granted consent, I would not be able to sustain any highway objections (Conditions 13 and 14).

Landscape Team:

Comments from previous application:

There is very little space for new tree planting to compensate for those that will be lost elsewhere on the site. It will be necessary to see a higher quality paving scheme to maintain and enhance the character of the locality. Stone or small unit paving should be used nearer the entrance to the site, in keeping with other yards. Bound gravel is acceptable within the development itself. No objection, on condition that a full soft and hard landscape plan is submitted for approval. This should seek to maintain and reflect the high quality found on the proposed buildings, and be in keeping with other recently enhanced yards off West Street (Conditions 4 and 5).

Arboriculture:

Approval, subject to condition. There is little on the site of any great significance. The sycamore tree to the north does offer some public amenity. A number of small Cupressaceous trees, an apple and a yew will require removal which will have no impact on the wider landscape. The retained trees will require protection during the construction work as will any spaces identified for new-planting on the landscape scheme (Condition 16).

Environment Agency:

The Environment Agency has no objection in principle to the proposal as submitted, subject to conditions relating to contaminated land (Conditions 17 and 18).

Natural England:

Having considered the information provided, and the potential environmental impacts resulting from the proposal upon the above designated sites, Natural England considers that this application is unlikely to have implications for the SSSI's / SAC. Consequently, we have no comments to make on this application in respect of the designated sites at present.

Southern Water:

No objection to extend the time limit for implementation of this application.

**Representations:**

New Alresford Town Council: Supports the application.

7 letters received objecting to the application, for the following reasons:

- Residential development will lead to an increase in traffic using an awkward, narrow access;
- No access for emergency, construction and service vehicles;
- Exit onto a busy road close to a pedestrian crossing;
- The additional dwellings will lead to an increase in the general parking problems in Alresford;

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Reasons aside not material to planning and therefore not addressed in this report

- Buildings adjacent to the access are built on chalk foundations, which could be affected by heavy vehicle use;
- There is a cellar under the access road which could be affected by increased vehicle and heavy vehicle movements.

**Relevant Planning Policy**

South East Plan 2009:

CC1, CC4, CC6, H1, H4, H5, T4, BE4, BE6

Winchester District Local Plan Review

DP1, DP3, DP4, DP5, DP9, HE1, HE4, HE5, HE7, HE8, HE14, H3, H7, RT4, T2, T3, T4

Supplementary Planning Guidance

Residential Car Parking Standards 2009

Achieving a Better Mix in New Housing Developments 2000

New Alresford Design Statement

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS3 Housing

PPS5 Planning for Historic Environment

PPS 9 Biodiversity and Geological Conservation

PPS 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

Other Planning Guidance

Guide to the Open Space Funding System

Technical Paper: Open Space Provision and Funding

**Planning Considerations**

Principle of development

This is an application to extend the implementation time for an approved scheme. The principle of the development has already been established by the grant of planning permission ref: 08/02243/FUL (above) and there are no material changes in planning policy to warrant refusing this scheme.

The site is within the settlement boundary, where residential development is normally acceptable in principle, subject to detailed criteria which are discussed in more detail below. It is also within the conservation area and is surrounded by listed buildings, as well as containing curtilage listed buildings. Policies HE4 and HE5 require that development does not therefore harm the character and appearance of the conservation area, or the settings of nearby listed buildings.

The proposal will provide 9 new dwellings on a plot of 0.22 hectares, which equates to a density of 40dph. In accordance with Policy H7, the development contains an appropriate mix of small (1 and 2) and larger (3 and 4 bedroom units). The number of small units being provided means that the overall density of the scheme is at the upper end of the density scale at 40dph, but within Government guidance in PPS3 and Local Plan Policy DP3. Notwithstanding this density, the built form, and especially the new buildings, do not appear to be cramped on the site, which can occur when a site is being overdeveloped. Therefore, it is considered that the proposed density and mix of units is appropriate.

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It is considered that the development accords with policies as set out in the New Alresford Design Statement (C1 to C6), in relation to the form and layout of the new buildings and proposed materials in the conservation area.

Design/layout

The converted or rebuilt buildings reflect the burgage plots and are set on roughly an east/west axis. The principal orientation of the buildings faces the central space of the development. The staggered position of the two existing buildings adds visual interest as you enter the site and encloses the main central space. The three new buildings all face towards the centre of the site, addressing the public realm. The private areas of the buildings are located to the east and west of the buildings. The layout is considered to be successful, creating a semi-public realm with natural surveillance, with private areas set to the rear of the buildings.

Impact on listed buildings and character of area

The curtilage listed buildings are in poor condition and their renovation or replacement, as proposed, is considered to be acceptable. The new buildings will be largely concealed from public view. They are of appropriate layout and design, reflecting the historical burgage lines. From outside the site, the development will only be glimpsed through the vehicular entrance or at points along West Street where roofs may just be seen. The proposed materials are traditional and are appropriate to this setting. The buildings will be in quite close proximity to each other and the boundaries, but this is typical of the courtyard developments of Alresford, and it is not considered that the buildings are cramped or would appear overbearing. In conclusion, it is not considered that the proposals will harm the character and appearance of the conservation area or the settings of nearby listed buildings.

Impact on character of area and neighbouring property

Units 1, 2 and 3 face eastwards and views from the front windows will be of the entrance, the central courtyard area, the end elevations of Bowland House, unit 4 and the renovated buildings. There may be some inter-visibility between the windows of these units and the adjacent buildings, but the separation between windows at each point is considered acceptable in a town centre setting. Units 1 to 3 each have private rear gardens to the west. The first floor rear windows of these units would, therefore, overlook their own private gardens and not affect the privacy of neighbouring properties. It is considered that the proposed development not would result in any harmful loss of privacy for the surrounding properties, and that the relationship between the proposed buildings and accommodation within the site, given its town centre setting, is acceptable. Furthermore, it is not considered that any of the new buildings would appear overbearing in relation to adjoining sites or result in any unacceptable loss of light.

Amenity space

Units 1 to 3 have generous gardens to the rear. Unit 4 has a small but usable garden to the side. Units 5 and 6, which are for two bedroom flats, have small courtyard spaces to the south. Units 7 to 9, which are for one bedroom flats, share one small courtyard. The proposed amenity areas are considered appropriate for each size of unit proposed.

This application to extend the implementation period of the scheme attracts an updated 2010/2011 Public Open Space financial contribution.

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Landscape

The main central courtyard area is proposed to be a mixture of hard standing, with some areas of grass. Further details of hard and soft landscaping are required by Condition 4, to ensure that these areas are finished appropriately in this context. Trees are to be retained; the sycamore tree just outside the northern boundary and two trees within the garden of unit 1. A condition requiring a method statement is required, to ensure the protection of these trees (Condition 16).

Highways/Parking

Given the existing use of the site as a car park, it is not considered that the parking and traffic movements that would arise from this development are unacceptable. The parking provision is considered to be acceptable in the context of other development sites that have been allowed in Alresford. The application attracts a financial contribution, in line with the Council's Transport Policy and it is recommended that permission to extend the implementation time be granted, subject to an appropriate mechanism to collect these funds.

Concern has been raised about the site access, its location to an existing pedestrian crossing, the impact of construction traffic on the adjacent buildings and the ability of emergency and service vehicles to gain access to the site. These are issues which were taken into account when the application was first granted permission, a permission which could still be implemented and for which there is no highways objection. Conditions relating to construction traffic have been recommended that require details of parking and turning on site (Condition 14). The impacts that those vehicles or, indeed, the vehicles belonging to the residents, might have on the adjacent buildings or subterranean structures, is a civil matter and not a planning consideration.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for Public Open Space and Transport Contributions, 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 Permitted, subject to**

**i. The applicant entering into an acceptable legal agreement for the provision of Public Open Space Contributions of £16,601.00 and Transport Contributions of £18,887.00; and**

**ii. The following conditions:**

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

**Conditions**

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

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

2. Prior to the commencement of the works hereby approved, samples of external facing bricks, tiles, ridge tiles, slates, timber boarding, render colour, stone cills and the colour or stain or timber doors and windows shall be submitted to the Local Planning Authority for approval in writing. A sample panel of natural flint shall also be constructed for consideration and written approval by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To preserve the special interest of the listed buildings, the character and appearance of the conservation area and the settings of listed buildings, in accordance with Local Plan Policies HE.5, HE.14 and HE.16 and PPG15.

3. Prior to the commencement of the works hereby approved, 1:20 scale drawings of the following details shall be submitted to the Local Planning Authority for approval in writing:

- windows
- dormer windows
- roof lights
- eaves
- window sills
- front doors
- chimneys
- porches

The scheme shall be implemented in accordance with the approved details.

Reason: To preserve the special interest of the listed buildings, the character and appearance of the conservation area and the settings of listed buildings, in accordance with Local Plan Policies HE 5, HE.14 and HE.16 and PPG15.

4. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours;
- means of enclosure;
- hardsurfacing materials.

Soft landscape details shall include the following, as relevant:

- planting plans;
- written specification (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities, where appropriate;
- implementation programme.

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



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5. 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.

6. No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority. The works hereby permitted shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings and amenity areas.

7. All rainwater goods shall be of cast iron, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of maintaining the character of the conservation area and the setting of listed buildings.

8. Details of the siting and design and method of fixing of any external meter boxes/metal ducting/flues to be provided, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The works hereby permitted shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining the character of the conservation area and the setting of listed buildings.

9. No development shall take place until details of the provision of cycle and bin storage for unit 1 have been submitted to and approved in writing by the Local Planning Authority. The works hereby permitted shall be carried out in accordance with the approved details.

Reason: In the interests of sustainability and highway safety.

10. The doors and windows on the development hereby approved shall be recessed a minimum of 75mm.

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

11. No street lighting, whether free standing or affixed to any structure, shall be provided on site unless the prior approval in writing of the Local Planning Authority is obtained.

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking and re-enacting that Order, with or without modification) no development permitted by Classes A, B, C, D, E, F & G of Parts 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.

13. 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.

14. Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development, shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

15. No development, or site preparation prior to operations which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

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

16. An arboricultural method statement, in accordance with BS5837, shall be submitted to and approved by the Local Planning Authority, prior to any demolition, construction or groundwork commencing on the site. In addition to detailing protection measures for retained trees, the arboricultural method statement shall detail protection or remediation measures to ensure a suitable planting environment for proposed planting.

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

17. If, during the 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, and obtained written approval of from the Local Planning Authority, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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Reason: To protect the major aquifer beneath the site from contamination. Due to the limited site history information available, and the former use of the site for car parking, there may be areas of contamination on site that have not been identified.

18. No infiltration 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.

Reason: To protect the major aquifer beneath the site from contamination.

19. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure satisfactory provision of foul drainage.

20. Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure satisfactory provision of surface water drainage.

21. 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.

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.

22. Prior to the occupation of the development hereby permitted, written verification, produced by the suitably qualified person approved under the provision of condition 21 above, shall be submitted to and approved in writing by the Local Planning Authority. The

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report must demonstrate that the remedial strategy, approved under the provisions of Condition 21 above, 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.

23. 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), have 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.

24. No development shall take place on the site within the bird nesting season (from February to May), unless a report by an ecologist, confirming that no breeding birds are present, is submitted to and approved by the Local Planning Authority.

Reason: In the interests of the preservation of wildlife.

25. Any works to the roof, dismantling of timber beams, and removal of timber cladding on the existing buildings shall be carried out by hand, under the supervision of a qualified ecologist, immediately after re-inspection of the buildings for bats by a qualified ecologist. Should the bat status of the buildings have changed, works will not commence (or recommence) until full surveys have been carried out, and a mitigation strategy has been devised and approved in writing by the Local Planning Authority. Thereafter, works will be carried out in accordance with any such approved mitigation strategy.

Reason: To avoid harm to bats and to ensure that bats are taken into account at the time of implementation of consent.

26. The development shall be carried out in accordance with the measures set out in section 7 and section 8 of the Biodiversity Survey Assessment Report (Lowens Ecology and Associates, January 2011), unless otherwise approved in writing by the Local Planning Authority.

Reason: To provide adequate mitigation and enhancement for protected species.

27. Prior to commencement of the development, a method statement for sensitive ground vegetation clearance and maintenance of boundary features for reptiles shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented.

Reason: To avoid harm to reptiles.

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**Informatives**

1. This permission is granted for the following reason:

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

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

Winchester District Local Plan Review 2006: DP1, DP3, DP4, DP5, DP9, HE1, HE4, HE5, HE7, HE8, HE14, H3, H7, RT4, T2, T3, T4  
South East Plan 2009: CC1, CC4, CC6, H1, H4, H5, T4, BE4, BE6

3. 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 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. The applicant is advised that the grant of planning permission does not absolve them from complying with the Wildlife & Countryside Act 1981 (as amended) and the Conservation (Natural Habitats &c.) Regulations 1994, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the Circular 06/2005.