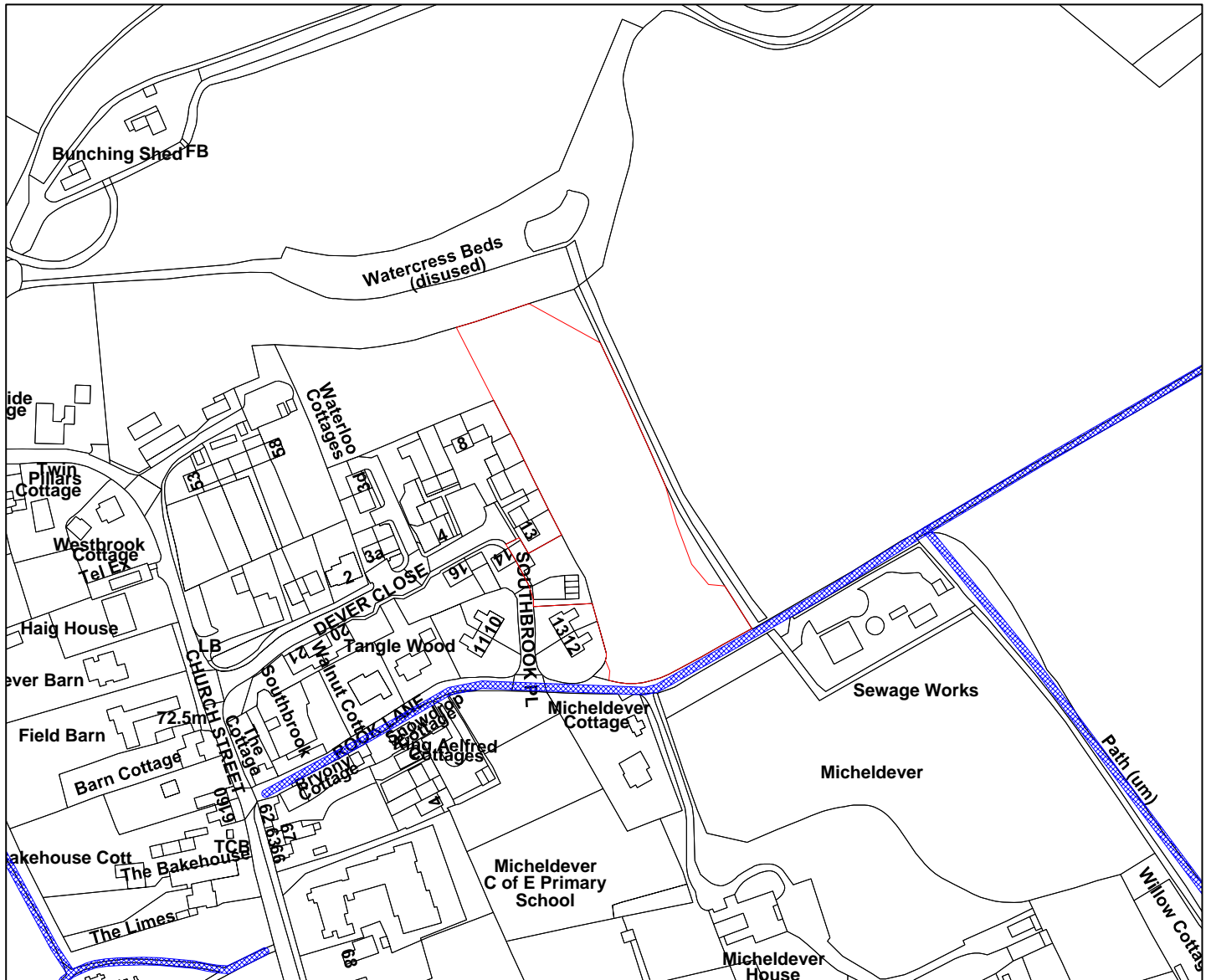


Land off Rook Lane, Micheldever

10/02770/FUL



Legend

Scale:



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Organisation	Winchester City Council
Department	Development Services
Comments	
Date	11 May 2011
SLA Number	00018301

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 3
Case No: 10/02770/FUL / W19395/02
Proposal Description: Erection of 15 no. affordable homes consisting of 4 no. one bedroom flats, 6 no. two bedroom houses, 5 no. three bedroom houses with associated parking and landscaping works (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)
Address: Land Off Rook Lane Micheldever Hampshire
Parish, or Ward if within Winchester City: Micheldever
Applicants Name: Winchester Housing Trust
Case Officer: Lorna Hutchings
Date Valid: 2 November 2010
Site Factors:

Recommendation: Approve

General Comments

This application is reported to Committee because of the number of objections received.

Site Description

The application site is located to the rear (east) of Dever Close in Micheldever. It is within the Dever Valley Landscape Character Area.

The site lies on the edge of the village and abuts an existing modern housing development. The land is slightly lower lying than the existing adjoining housing development and the field is currently used for grazing. The site is bounded by established hedging with a number of mature indigenous trees within the boundary.

To the north and east of the site is open countryside/agricultural land and this surrounding land falls within the Environment Agency's Flood Zone 2 and 3 categorisation. The southern boundary borders Rook Lane which is a public right of way. The site is relatively flat and has an area of approximately 0.79 hectares.

Proposal

The proposal is for the construction of 15 affordable houses as part of an exceptions housing scheme of 100% affordable housing of mixed tenure. The dwellings consist of 4 one bedroom flats, 6 two bedroom houses and 5 three bedroom houses. The dwellings are two storey with elements of vertical timber boarding at first floor and brickwork, with slate pitched roofs. The design includes chimneys and solar panels. The dwellings are semi or link attached and are arranged centrally in the site. This broadly linear arrangement is broken up by slight setbacks to the attached dwellings and an 'L' shaped orientation of the blocks. Vehicle access to the development is at the south west boundary between 13 and 14 Dever Close and 13 Southbrook Place. Car parking is sprinkled throughout the site in small courtyards or bays closely linked to the houses they serve. The southern most section of the site would remain undeveloped to provide on-site public open space. There is a footpath proposed across this area as a pedestrian

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link between the new development and Rook Lane footpath. The proposed 15 dwellings would result in a density of approximately 19 dwellings per hectare (dph).

Relevant Planning History

05/00209/FUL - Erection of 6 no. three bedroom and 6 no. two bedroom dwellings with associated parking and landscaping. Withdrawn 8th April 2005.

Consultations

Engineers: Drainage: No objection. The applicant has contacted the Environment Agency and they have agreed that a Flood Risk Assessment is not required. No public sewer, so improvement works are required to the Winchester City Council owned works nearby. Condition for drainage recommended. [Condition 13]

Engineers: Highways: No objection, see main report below, conditions recommended. [Condition 11, 12]

Environmental Health: "I have examined the proposals in detail and note that the development involves the creation of new residential dwellings. This is considered to represent the most sensitive end-use regarding vulnerability to the presence of contamination." A condition is recommended to deal with contamination if found. [Condition 09]

HCC Right Of Way: No objections or comments to offer.

Landscape: No objection, consider appropriate for the edge of rural setting. Open space provided on site is sufficient. [Condition 03, 04, 05]

Trees: No objection, there are no trees to be retained on site but there are a number of significant trees in the neighbouring gardens. There has been no protection method shown on how to be protected throughout the construction phases. Addition details recommended for condition. [Condition 06]

Environment Agency: This proposal falls within the scope of the Environment Agency's Flood Risk Standing Advice. No Flood Risk Assessment is required however levels should be built to 300mm above flood zone 2 and 3 adjacent level to allow for future global warning trends. [Condition 07]

Strategic Housing: Scheme is supported as detailed in main report below. Micheldever Parish Council has been seeking to address the housing needs of households with a local connection to the parish for a number of years having identified a need for such housing within the Parish. Strategic Housing has been working with the Parish Council to help achieve this, and has been working closely with Winchester Housing Trust.

Archaeology: The application site lies within an area of high archaeological potential. Micheldever is recorded in several Anglo-Saxon charters as originally being a Royal Estate and the site lies within the area of a medieval and post-medieval manor complex. Based on the results of the two phases of evaluation undertaken within the application site and nearby remains, there is high potential for further archaeological remains across the entire application site. No objection in principle subject to condition. [Condition 08]

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Estates: The scheme could improve its viability if another unit could be accommodated on the site and it is recommended that some costs savings are explored further especially in respect of archaeology. Otherwise the viability report is robust.

Representations:

Micheldever Parish Council = Support the application.

18 letters received objecting to the application (3 of which are concerns/comment) for the following reasons:

- Concern about the use of Dever Close as an access road to the new development.
- Increase in traffic using Dever Close brings concerns about the safety of the resident children who play in the Close itself:
- Lack of public transport alternatives will result in increased car ownership;
- Increase in traffic congestion and on-road parking in Dever Close;
- Additional on-street parking would have implications for emergency vehicles reaching the development;
- Access is not of a sufficient standard to allow for larger vehicles to manoeuvre;
- Construction traffic using Dever Close as a through route.
- Highway safety at junction of Dever Close and Church Street and Church Street and Duke Street, especially at beginning and end of school day;
- Loss of 4 garages in Southbrook Place reduces available parking and therefore increases parking problems;
- Will result in Rook Lane being used as additional parking for the residents of the development;
- Exacerbate parking problems in the centre of the village;
- Inadequate parking provision for the number of dwellings proposed;
- Inadequate replacement parking for 13 and 14 Dever Close;
- Submitted Transport Statement uses data more appropriate to an urban and edge of town location rather than rural location and therefore underestimates the impact of the development on Dever Close;
- Legal agreements and contributions should seek to overcome road safety issues;
- Impact on the existing infrastructure, the local school is already oversubscribed, impact of the new development connecting to the adjacent sewage treatment works;
- The land has been gifted to the village to house local people. How can it be ensured that local people/people with local connections are housed rather than general Winchester City Council tenants;
- Proximity to a flood zone, impact on water table and future possible flooding issues;
- Site is outside the policy boundary and not included in the Village Design Statement (VDS);
- This is not a small development as required by the VDS and it doubles the size of Dever Close;
- Scale of the development is too large and not in-keeping with the village;
- The layout does not respect the village linear character and changes the character of Dever Close to a large estate;
- The proposed link footpath from the development to Rook Lane runs along the rear boundary of properties at Southbrook Place reducing privacy to those

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residents.

- Additional screening needed to protect amenities of existing houses;
- Loss of outlook and compromised views overlooking the development;
- Development visible in public views of Micheldever from Coffin Walk;
- Increase light and noise pollution from the development;
- Development is too close to the sewage treatment works;
- Possibility that bats are using the garages which are proposed to be demolished.

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

- Plans do not show the playground which was discussed at the public meeting.

5 letters of support received.

- Provides much needed affordable housing to meet the local need and will serve people who have been forced to leave the village to find suitable, affordable accommodation elsewhere.

Relevant Planning Policy:

South East Plan 2009:

SP3, CC1, CC4, CC6, CC7, H4, H5, T4, BE1, BE2.

Winchester District Local Plan Review

DP.1, DP.3, DP.4, DP.5, DP.9, DP.10, HE.1, H.3, H.6, H.7, RT.4, T.1, T.2, T.3, T.4, T.5, W.1

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPS 5 Historic Environment

PPS 7 Sustainable Development in Rural Areas

PPS 9 Biodiversity and Geological Conservation

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

PPS 25 Development and flood risk

Supplementary Planning Guidance

Micheldever Village Design Statement

Affordable Housing SPD

Winchester District Landscape Character Assessment

Other Planning guidance

Guide to the Open Space Funding System

WCC Residential Parking Standards

Rural Housing Information Booklet

Technical Paper: Open Space Provision and Funding

Winchester Housing Needs Survey

Winchester Sites and Monument Record

Planning Considerations

Principle of development

The principle of developing this site for affordable housing is acceptable in accordance with

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policy H.6 of the adopted Winchester District Local Plan Review subject to demonstrating local housing need and agreeing a suitable mix and tenure of dwellings with the Council's Strategic Housing team.

The affordable housing is proposed on an edge of settlement site just outside the defined settlement boundary in accordance with policy H.6. This policy requires development to be provided in perpetuity for local people in proven housing need, the site to be accessible by public transport, cycling or walking to local facilities, to be well related to the scale and character of the adjacent settlement and not to intrude unduly into the countryside or harm the landscape character. The report below discusses compliance of the proposed affordable housing with these criteria.

Micheldever Parish Council has been seeking to address the housing needs of households with a local connection to the parish for a number of years having identified a need for such housing within the Parish. Strategic Housing has been working with the Parish Council to help achieve this, and has been working closely with Winchester Housing Trust

The site was identified as a suitable site for affordable housing for local people following a comprehensive appraisal of sites around the Parish. Indeed the site is part of a field which was historically left to the Parish by Lord Rank for use in providing affordable housing. Its location is within walking distance of the village amenities, necessary for such housing. It offers an excellent opportunity to provide much needed affordable housing for local people in Micheldever.

Housing Need

There are currently 42 households on the Hampshire Homechoice Housing Register with a local connection to Micheldever parish. There is also a significant local need for shared equity homes.

Choice of the exception site

The site offers the opportunity to provide 15 affordable units for local people. The proposed mix of dwellings (6 x 2 bed, 4 person houses; 5 x 3 bed, 5 person houses; 4 x 1 bed, 2 person flats) relates well to the need of the households on the Housing Register and those people identified that require shared equity. The mix has been discussed and agreed with Strategic Housing and the Parish Council. Whilst all the housing will be affordable housing for local people, the tenure mix can be adjusted depending on funding and demand. Currently it is proposed to provide 8 shared equity and 7 rented homes. As noted above, the site is well located with respect to the amenities and facilities within the village, including the primary school, shops, village hall and other amenities which can be reached by foot or cycle. The mix of size of units provides less than a 50% provision of 1 and 2 bed units (H.7), but this is due to the revised unit mix requested and negotiated by Strategic Housing and relates to the need identified on the Housing Register and is acceptable.

Quality and Sustainability standards

The affordable housing units are proposed to meet the Code for Sustainable Homes level 4. However, Code level 3 is also acceptable if Code level 4 proves unviable financially.

The homes will also be Lifetime homes and aim to achieve the standards set by Building for Life. A list of the requirements for this and analysis of how the development can meet it has

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been submitted. The properties proposed aim to meet Housing Quality Indicator standards and the Secure by Design part 2 compliance. These are all standards set out in the Council's Affordable Housing Quality Framework. The new dwellings have been designed to reflect the character and qualities that exist in the village and in particular within the remainder of Dever Close. The materials and detailing will produce high quality buildings whilst the energy and water efficiency features should mean they are economic to run for the residents. This is required in the Supplementary Guidance and is considered in more detail below in respect of other policies.

Winchester Housing Trust/Public Consultation

The homes are being provided by Winchester Housing Trust. The Trust has already provided a number of affordable homes in Dever Close in two previous developments. They have worked with the Parish Council and Strategic Housing and have undertaken a consultation with the local community regarding the proposals for the scheme. The consultation was held in February 2010 to consult on the design proposals prior to a planning application being made. The consultation was attended by an officer from Winchester City Council and the Rural Housing Enabler based at Community Action Hampshire as well as representatives from Winchester Housing Trust, the Parish Council, District Councillors and the Architect. Comments made at the event contributed to amendments to the scheme design. As the site is an exception site being developed under policy H6 of the Local Plan, all the affordable homes will be secured for local people in perpetuity through a section 106 Agreement and this is set out in the Head of Terms below.

Viability

A Financial Viability Study by Calford Seaden has been submitted as part of the planning submission. It outlines a funding shortfall on this proposed development of affordable housing units. This is largely due to the exceptional costs associated with a rural exception site and the extensive archaeological dig that must be carried out at the request of this Council (approx. £100k). The viability report is considered sound in respect of the general costs per square meter, type and nature of costs and end values. It is evident by the report produced that it is reasonable for the developers to seek to omit contribution costs due to the funding shortfall. The report robustly identifies that it would not be feasible to seek these financial contributions which equate to Open Space Sports at £12582.00 and Sustainable Highway Improvements at £49115.00. In addition whilst there are schemes identified in the Open Space and Highways strategies, they are not so related to the proposal as to be an important material factor in determining the application for mitigating any significant impacts, given the opportunity to provide affordable housing for local people. This approach has local support.

It is also explained that waiving the financial contributions will help reduce the shortfall of funds but will not eliminate the financial deficit. The remaining funding shortfall will have to be bridged by cost savings during the tender process, a grant from Winchester City Council, or a change in tenure, generating more income from the sale of shared equity properties. Winchester City Council and Winchester Housing Trust are dedicated to providing the maximum number of rented properties financially possible to help relieve the demand on the current waiting list. The waiver of financial contributions will help Winchester Housing Trust move closer to the desired tenure mix and this is a material planning consideration outweighing the need in this case for the Public Open Space and Highways contributions.

Uplifting the value of the site has been considered as it is recognised that the dwellings

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per hectare is not that high at 19 dph and the estates team have indicated that more value could potentially be achieved if additional units were accommodated. This has been considered, however the number, size, room size and mix of the proposed units is preferred by the Housing Association to meet the need and there are material planning reasons in respect of design and impact not to increase the density. The lower density is desirable on this very rural edge of countryside site. The gaps in the blocks are essential to break up the massing and allow views through, the public open space is not suitable for additional units as this amount is required by policy and the green spaces around the new access provide a necessary buffer from the road to the existing houses. More emphasis is now placed on conserving local features or character, even if the resulting development falls below 30 dwellings per hectare, by the omission of the minimum density requirement in PPS3. Therefore there is no suitable place on the site to locate an additional unit or any other way such as reducing house sizes to enable more units on site.

Design/layout, Landscaping and Impact on Character of the Area.

The application proposes to develop the site with the housing on the rear western part of the site with an access road being taken through the end of Dever Close cul de sac and into and along the western part of the site. This general configuration is considered to be appropriate for the rectangular nature of the site. A small block of under used garages is to be removed in the access area with three new spaces proposed replacing the lost parking. The housing is proposed to be arranged in small groups around grassed squares. The groups will be separated by well landscaped parking areas and gardens which will ensure the development is appropriate for its edge of countryside location allowing views through and minimising the appearance of the built form. The arrangement will also respond to the spatial characteristics of Dever Close and local area. The roofs of the terraces have been broken up either by changing floor levels or the stepping nature of them. Chimneys are also incorporated. There is cohesion within the development and also variety in individual facades and built forms particularly when viewed from the countryside from the network of public footpaths close to the site, with a public footpath running immediately adjacent to the southern boundary. Additional windows are conditioned to be inserted in the west elevations of plot 1 and plot 10 to improve overlooking of the parking areas and active street frontages to the access road upon entering the site. [Condition 17]

The proposal is considered to be of high quality, responding to its context and enhancing the local area particularly as high quality materials are proposed to be used (brickwork, timber, slate) that reflect the best materials used in the local area, including the materials for all hard landscaping areas, road and parking surfaces and boundary treatment. The site affords native hedgerow and trees along the boundaries. There are large gaps requiring further planting and some management. There were initial concerns that this was outside of the red line but it is confirmed that it is within the applicants control and therefore the management of the landscaped boundaries will be subject to Legal Agreement. This new development will be redefining the edge of the settlement boundary and therefore boundary vegetation is a very important consideration to screen views of the settlement from the surrounding countryside and public footpath network. Garden areas which back onto this boundary have been designed so that the landscape is fenced off from it to lessen harm to it in the future.

The position of the public open space provides a good buffer between the development and the public footpath to the south of the site. This space provides a good opportunity

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to plant large shade-bearing trees which would enhance the site, the wider countryside and the setting of the Conservation Area and also provide usable space for existing and future residents. Such trees are indicated on the layout and conditioned. The proposed footpath leading onto the existing public footpath is also a positive element (but is subject to amendment so that its route is a little further away from the existing housing).

The proposal is therefore considered to be in keeping with the existing housing adjacent and will not materially affect the character of the countryside as the lower density, significant landscape and planting enhancement and design is appropriate for the location.

Impact on neighbouring property

The units have been designed and positioned so that they will have minimal impact on the existing properties so that the existing properties of Dever Close and Southbrook Place that face out to the countryside will have gaps afforded for this through the proposed buildings across green areas and some of the landscaped hardstanding areas. There are significant distances of between 20m and 35m between existing and proposed dwellings.

There is also a good interrelationship between the properties within the proposal with solid boundary treatments and plots sited successfully to provide amenity and privacy. The countryside setting of the development takes advantage of views out to the east with plots orientated this way. There is a significant landscaped buffer to the countryside, the footpath and to the existing housing, and particularly either side of the new access, to ensure that the new development is well contained and has minimal unneighbourly impact.

As noted above significant objection has been received in respect of the footpath which links from the block paving south to the southern footpath through the Open Space, due to it being sited only 3m from rear garden boundaries. It is considered that this is indeed an unneighbourly relationship and whilst the footpath will unlike be heavily used it is preferable to revise its siting taking a more curved route further away from the houses through the open space. This has been agreed in principle with an amended plan awaited and conditioned. An update will be reported prior to Committee on this matter. [Condition 16]

Ecology

The ecological information submitted includes results of preliminary ecological surveys and a targeted reptile survey, and reveals no major constraints to development. Clarification was sought regarding the site's potential to support dormice (within species rich hedges), great crested newt (within the ditch/adjacent pond) or watervole (associated with the adjacent ditch). It has been confirmed by the ecologist that the potential for these species has been considered and that the site is unsuitable for Dormice and Watervole and confirmed that the hedgerows will not be impacted by proposed post and rail fencing bounding the landscape buffer to the east and north.

Various tree works are proposed and so clarification was sought regarding any potential bat impacts associated with trees and it was established through a ground level inspection of them that they have no bat potential due to their age, health and size.

However, there is a remaining bat issue in terms of risk to any wandering individuals

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which may be stopping off between the bitumen felt and roof tile of the garage to be demolished. Because it is not possible to tell by inspection of any bat presence and because of the features of the garage (there are some dislodged clay tiles), and also as the proximity of the site is close to wooded areas and there are known bat roosts in the area, it is concluded that there is some risk to the species from the development. Therefore further survey work is required as it has to be established whether there are bats present or not, due to the above trigger factors indicating a reasonable likelihood. At the time of writing, a dawn/dusk emergence bat activity survey is being carried out. The results will be provided in an update to Committee. Should bats be present then the application will have to be put on hold until a further dusk activity survey is undertaken with a mitigation strategy also being needed for the planning application. If the results are negative then it can be concluded that there is unlikely a bat presence and little risk to the protected species. [Condition 10]

The ecologists have also identified the potential for Greater Crested Newts to be present due to the nearby pond (offsite). Although the pond will not itself be impacted by the proposals, for most of the year the newts would use the terrestrial habitat surrounding the pond and therefore if present within the pond there is potential for GCN to be impacted by the works.

An offsite pond is located to the north of the development area. A habitat suitability assessment was undertaken in preparation for the submission of this planning application which revealed that the pond was not appropriate for Greater Crested Newts. For the majority of the year the terrestrial habitat that surrounds a pond is used. The pond and such habitat has been identified only outside of the application site with the application site itself of very little value as habitat. Coupled with this, there are no historical records of newts within the area and no newts were recorded under any of the artificial refugia that were positioned along the boundaries of the site in surveys conducted in 2010. The development will not directly impact any potential newt terrestrial habitats and as such will not have any negative affects on individual newts or their population if they were present within the wider area. Consequently this means that targeted newt surveys are not necessary.

Full information regarding protected species is required at the point of determination in line with PPS9 and Natural England Standing Advice and it is considered that the right level of information and additional survey work has been undertaken to establish that the protected species will not be at risk from the proposed development (subject to bat survey). A condition is recommended to ensure that ecological enhancements can be made within the site and the legal agreement will ensure that the general landscaping and existing vegetation is managed on areas outside the red line.

Highways/Parking

A transport impact assessment (TIA) was submitted with the application which was required to demonstrate that the proposal would be acceptable from a highway point of view following a public consultation exercise which identified concerns about highway safety from local residents. The development proposed is for 15 dwellings to be served from the turning head at the northeast corner of Dever Close. This is a residential cul de sac of conventional design with a carriageway width of 4.8m and 1.8m wide pedestrian footway on both sides of the carriageway. To the west, cul de sac forms a simple junction with Church Street which is the main route through the village.

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With regard to the principle of the proposal the TIA describes the existing environment, discussed alternative methods of transport available in the village, assesses the traffic impact and concludes that the development is acceptable from a highway point of view.

Micheldever enjoys a local primary school to the south of the site and there is a local village shop at the Dever Close junction with Church Street. The village therefore has some facilities which would reduce reliance on private cars as a means of transport. The availability of public transport in the village however is extremely poor with the mainline railway station over 2.3m away accessed via a road with no street lighting and no pedestrian footways. A limited bus service is available, but this only operates once per day, two to three times a week, with no evening or weekend services. Car ownership and usage is therefore likely to be high, and this is borne out by the research this authority has undertaken when formulating the recently adopted Residential Car Parking Standards. Micheldever has one of the highest car ownerships per household in the district.

With regard to traffic impact the TIA includes trip rate data taken from the TRICS database. The TIA contains a number of sites which have been used to formulate the data but these are in edge of town centre locations such as Leeds, Staines, Bradford and Preston, to name a few. These locations can hardly be compared to Micheldever. The predicted trip rates are therefore underestimates of what the development is likely to generate. Dever Close is a self contained residential estate with a mixture of private and social housing, so a more accurate way of predicting the likely multi modal trips associated with this development, would have been to survey the existing cul-de-sac and work out a rate on a pro rata basis. Notwithstanding the above it is considered that based on likely average trip generation rates, the traffic generated by the development would not have a detrimental affect on the safe operation of the surrounding highway network, and the development would be acceptable from a highway point of view.

The proposal accords with current parking standards. Parking has been provided for those dwellings whose parking has been removed to facilitate access to this development. Secure and undercover cycle parking is also provided. There is also adequate space for a large service vehicle to enter and leave the site in a forward gear. The proposal is therefore considered acceptable in respect of highway impacts.

Other Matters

Flooding and Drainage

This proposal falls within the scope of the Environment Agency's Flood Risk Standing Advice it is less than 1ha in size and outside flood zone 2 and 3 and therefore no Flood Risk Assessment is required.

The applicants did consult with the Environment Agency at pre-application stage regarding the position of the flood zone as zones 2 and 3 bounds the site. This boundary is correctly located on the proposed drawings. The red line of the site boundary falls entirely outside of the flood zone. Ground levels have been established and taken from the topographical survey at the edge of the flood zone, and the floor levels of the proposed dwellings will be set at least 300mm above this level. This is the only requirement of the Environment Agency and in fact the final floor levels to many of the plots are actually higher than this in the submitted scheme. The raised floor levels of the plots allow for future global warming trends, and possible raised flood zone levels.

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This is conditioned to ensure that the requirement for the levels can be ensured and also to review the final finished appearance in light of this and earth removal requirements for the archaeological dig which could have implications for the height and appearance of ground levels and finished floor levels.

There is no public foul sewer in Micheldever and the proposal indicates that it is requested that a connection is made to the Winchester City Council owned works nearby. If this is to happen, the applicant must pay for improvements to the works so that the flow can be accepted and a sum of £1,500 per dwelling would be expected. This is included in the viability assessment and a reduced amount has been negotiated. The payment itself will be ensured through the legal agreement. Storm water will be disposed of in a sustainable way and soakaways can be used to back up other methods such as rainwater recycling and the use of permeable materials in drive, patio and footpath construction. [Condition 13]

Archaeology

The application site lies within an area of high archaeological potential. Micheldever is recorded in several Anglo-Saxon charters as originally being a Royal Estate and the site lies within the area of a medieval and post-medieval manor complex. Two archaeological evaluations have been undertaken within the application site (in 2005 & 2009) and a report on the latter investigation has been submitted as part of this application (Wessex Archaeology, Nov. 2009, ref. 72630.02), together with a Heritage Statement.

Archaeological remains of Saxon, medieval and post-medieval date were identified during the two phases of evaluation. Evidence for Early – Middle Saxon occupation and industrial activity was located and artefactual evidence recovered from a pit is indicative of the trade of high status artefacts originating from the continent during this period. Archaeological remains associated with the medieval and post-medieval manorial complex (comprising a ditch, pits and structural elements, together with some stratified deposits), were also identified, although their density varied.

Recent archaeological investigations to the south of the application site (to the rear of 63-7 Church Lane) have revealed further evidence of early Saxon, Saxo-Norman and medieval occupation and industrial activity in this part of Micheldever.

Based on the results of the two phases of evaluation undertaken within the application site and nearby remains, there is high potential for further archaeological remains across the entire application site. The evaluations identified that archaeological remains occur at a shallow depth within the site and also that, although extensive, they have suffered some previous truncation and disturbance (including from the demolition of and robbing within the manor complex); although other remains seem to have been protected by the presence of a buried soil horizon.

Development of this site is likely to result in severe impacts upon the archaeological resource, particularly given its shallow depth. However, the area of densest and most complex remains, relating to the manor site, identified during the 2009 evaluation (including an area of stratified *in situ* remains), has not been included within the proposed development area. As such, and considering also the previous truncation and disturbance noted during the evaluation, it is not considered that conservation of archaeological remains (through preservation *in situ*) is required within the application site.

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The proposal is considered acceptable in principle on archaeological grounds, however in accordance with PPS5 (Planning for the Historic Environment, 2010) and Policy HE.1 of the Winchester District Local Plan Review, a condition for securing further archaeological work (comprising excavation in advance of development commencing), in mitigation of the impacts of the development is essential. It is accepted that the evaluation and mitigation works will be extensive as this is clearly an important site but the developers may wish to explore negotiating with the Historic Environment team on the precise nature of it to minimise the costs where possible. It is noted that the whole of the site will be impacted by the development resulting in some level of ground disturbance and so the Open Space area will need to be included in the survey and mitigation strategy. [Condition 08]

Sustainability

It is indicated in the supporting documents that all of the proposed dwellings will achieve Code Level 4 of the Code for Sustainable Homes which is a minimum of a 44% improvement on CO2 emissions over the Building Regulations. There are no statutory space standards but the houses are designed to exceed guidance given in the Design and Quality Standards. A condition is recommended which requires that a minimum of Code Level 3 be certified to ensure that the development is sustainable but retains flexibility in this area as savings on the costs of development are still being sought to fill the funding gap as explained above. [Condition 14]

Conclusion

In summary, the proposal to provide 15 dwellings to meet local housing need is considered to be acceptable as it provides well designed and much needed affordable housing on a site which will be in keeping with the existing housing settlement on the edge of Micheldever, whilst having no detrimental impact on the character of the area in accordance with policy H.6.

Planning Obligations/Agreements

In seeking the planning obligation(s) for affordable housing and landscape management, 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

i) Application permitted subject to:

1. **A legal agreement to secure the provision of 15 no. affordable dwellings in a form to be agreed with the Head of Legal Services for the site known as 'land off Rook Lane exception site' in association with Winchester Housing Trust.**
2. **The affordable housing shall be provided for people with a 'local connection' in accordance with a definition to be provided and agreed with Strategic Housing and Micheldever Parish Council.**
3. **Payment of Winchester City Council's reasonable legal and technical costs.**

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4. **Landscape and Ecology Enhancement and Construction Management Plan and Management Plan for landscaped and any other relevant areas shown bounding the site but outside of the red line of the site but within the applicant's ownership.**
5. **A Common Parts Management Plan and setting up of a management company including the Tree Belt with management works and long term maintenance strategy.**
6. **The agreement also requires the provision and laying out of the on site open space in accordance with the Council's Specification for Soft Landscape Works and an Open Space Management Plan (details attached hereto) which is to be transferred to the City Council/Parish Council/ managed by a Management Company to be set up by the Applicant.**
7. **The payment of a financial sum of £15,000 towards the provision of improvements towards the public sewer.**

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

and ii) the following condition(s):

Conditions

01 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 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.

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

3 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;
- car parking layout;
- other vehicle and pedestrian access and circulation areas;
- hardsurfacing materials;
- minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc);

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- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.)

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:
- retained areas of grassland cover, scrub, hedgerow and woodland:
- manner and treatment of watercourses, ditches and banks:
- implementation programme:

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

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

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

5 No development shall take place until a schedule of landscape maintenance for a minimum period of five 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.

5 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.

6 No development hereby approved shall be commenced on site prior to the following information being submitted to and approved in writing by the Local Planning Authority.

-A plan to a scale and level of accuracy appropriate to the proposal that shows the position of every tree on site with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area (para. 5.2.2 of BS5837, 2005, Trees in relation to construction - Recommendations) or general landscape factors) must be shown.

-The details of all the appropriate tree protection measures for every retained tree before and for the entire duration of the course of the development.

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-The details of any proposed alterations to the existing ground levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring ground.

The tree protection measures and development shall than be carried out in accordance with those approved details.

No arboricultural works shall be carried out to trees other than those specified and in accordance with the Method Statement written by Alex Monk of CBA trees ref:CBA:7385 hereby approved.

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

7 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 finished floor level of the housing hereby approved shall be built at least 300mm above the existing ground level of the datum level along the Flood Zone 2 boundary of the eastern side of the site. Details of the resulting elevation appearance of these houses with the final proposed ground levels and damp proof courses as affected by flood protection measures and archaeological dig and earth removal requirements shall be shown. The development shall thereafter be carried out in accordance with the approved details.

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

8 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.

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

9 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.

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

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10 Prior to commencement of the works a scheme of biodiversity and ecological enhancements shall be submitted to and approved in writing by the local planning authority, and thereafter implemented during development. Enhancements may include native and locally appropriate planting to provide habitat and food sources for species such as birds, bats and reptiles, wildflower areas, creation of ponds and other habitat features such as habitat (log) piles, and provision of bird, bat and insect boxes (this should be cross referenced to the requirements of the landscaping and species mitigation conditions). Development shall be carried out in accordance with the approved details with enhancements thereafter permanently retained.

10 Reason: In order to provide biodiversity enhancements in line with PPS9 and policy CE.11 of the Local Plan.

11 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.

11 Reason: In the interests of highway safety.

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

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

13 Detailed proposals for the disposal of foul and surface water in a sustainable way shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. Permeable paving shall be used on all drives and hardstandings unless otherwise agreed in writing by the local planning authority. Water butts shall be provided for each property hereby permitted and used to recycle rainwater unless otherwise agreed in writing by the Local Planning Authority. The approved details shall be fully implemented before the dwellings are occupied.

13 Reason: To ensure that the site is adequately drained and that the development is drained in a sustainable manner to conserve water.

14 The dwellings shall achieve at least Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 or 4 has been achieved.

14 Reason: To meet sustainability objectives.

15 The development hereby approved shall be constructed so that windows and doors shall at a minimum show 100mm reveals, unless otherwise agreed in writing by the Local Planning Authority.

15 Reason: In the interests of preserving the visual amenities and character of the area.

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16 The footpath as detailed on drawing number 7479/P01 revJ (which links from the block paving south to the southern footpath through the Open Space) is hereby not approved. A plan showing the revised siting of this footpath taking a more curved route further away from the houses shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The footpath shall thereafter be installed and retained in accordance with the approved plan.

16 Reason: In the interests of protecting the private amenities of residents.

17 A single window shall be inserted into each of the east end elevations of plot 1 and plot 3 prior to the completion of the development. A plan detailing the windows shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The windows shall then be installed and retained in accordance with the approved drawing.

17 Reason: In the interests of the amenities of the area and to overlook parking and access areas.

Informatives:

1. This permission is granted for the following reasons:

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

2. Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 to 13:00 hours on Saturdays nor at any time on Sundays or bank Holidays.

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

South East Plan 2009: SP3, CC1, CC4, CC6, CC7, H4, H5, T4, BE1, BE2.

Winchester District Local Plan Review 2006: DP.1, DP.3, DP.4, DP.5, DP.9, DP.10, HE.1, HE.12, H.3, H.6, H.7, RT.4, T.1, T.2, T.3, T.4, T.5, W.1

4. During Construction, 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.