

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

**16 June 2011**

Attendance:

Councillors:

Jefferies (Chairman) (P)

Berry (P)

Clear (P)

Evans

Izard (P)

Johnston

Laming (P)

McLean (P) (for items 1-4 only)

Pearce (P)

Read (P)

Ruffell (P)

Tait (P)

Deputy Members:

Councillor Mitchell (Standing Deputy for Councillor Evans)

Others in attendance who addressed the meeting:

Councillor Nelmes

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1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 26 May 2011 be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

[\(Report PDC900 refers\)](#)

The schedule of development control decisions arising from consideration of the above Report is circulated separately and forms an appendix to the minutes.

There were no declarations of interest made.

**Applications situated outside the area of the South Downs National Park:**

The following items had speakers during public participation:

Item 1: 49 Upper Brook Street, Winchester – Case Number 10/02996/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, two further letters of objection had been received. He also recommended an additional condition to those set out in the Report. This proposed to restrict deliveries made between 1am and 5am to registered postal addresses only. This was agreed by the Committee.

Mr Sclater and Mr Meadows (local residents) spoke against the application and Councillor Nelmes (a Ward Member) also commented on the application.

In summary, Councillor Nelmes highlighted a potential problem regarding the applicant's access to the rear yard, which was limited by a covenant. She also highlighted to the Committee that the public car park opposite was likely to be redeveloped as part of the Silver Hill scheme. Therefore, as there was no on street parking outside the premises, the applicant's customers would have nowhere to park. Finally, Councillor Nelmes agreed with the concerns raised by the public speakers regarding the probability of additional noise nuisance arising from the additional hours sought in the application.

In response, the Head of Planning Management explained that the applicant's access to the rear yard and customers' possible use of the car park opposite was not a planning consideration. The Head of Environmental Protection explained that his team had received no complaints from local residents regarding the premises since the applicant had operated their extended hours from September 2010. Furthermore, a noise report had concluded that the additional delivery hours would not unreasonably disturb local residents. However, in addition to recommending deliveries to postal addresses only (to prevent early morning patrons taking deliveries directly from the premises), the Head of Environmental Protection recommended a further condition to control the noise of applicant's machinery. This was agreed by the Committee. During debate, the Committee also agreed to include an additional informative which reminded the applicant of their responsibilities under other legislation regarding litter originating from the premises.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) as set out in the Report, and with the additional conditions referred to above regarding deliveries to postal addresses only, the noise of the machinery and an additional informative regarding litter (detailed wording delegated to the Head of Planning Management).

Item 2: 51 Upper Brook Street, Winchester – Case Number 11/00609/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, a further letter of objection had been received which raised issues already summarised in the Report.

Miss Pope and Mr Sclater (local residents) spoke against the application and Councillor Nelmes (a Ward Member) commented on the application.

In summary, Councillor Nelmes explained that, although the neighbouring takeaway outlets had the latest extraction machines, local residents still suffered from the smell of cooking fats and a proliferation of flies. She also commented on the problems caused to residents by waste food storage and that the premises had no car parking space to the rear. In concluding, Councillor Nelmes explained that the area already had enough takeaway outlets and that a further unit would cause too much disturbance to what was fundamentally a residential area.

In response, the Head of Planning Management explained that, as statutory consultees, no objections had been raised by the Head of Environmental Protection nor from the Highway Engineer.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) as set out in the Report, with an additional informative reminding the applicant of their responsibilities under other legislation regarding litter from the premises (detailed wording delegated to the Head of Planning Management).

Item 3: Parchment Street Clinic, 53 Parchment Street, Winchester – Case Number 11/00670/FUL

Ms Sarby (a local resident) spoke against the application.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) as set out in the Report, and additional informatives reminding the applicant of limitations regarding hours of construction to protect the amenity of local residents and an informative regarding restrictions on burning (detailed wording delegated to the Head of Planning Management).

Item 4: Red Marley, 1 Nations Hill, Kings Worthy – Case Number 10/02052/FUL

The Head of Planning Management explained that, subsequent to the publication of the Report, a further response had been received from the County Council's Ecologist regarding trees on the site and nesting birds; a correction regarding the applicant's details (the applicant was Mark Oakley); a correction regarding the number of objection letters received (11, not the 9 stated in the Report); a correction regarding Condition 3 (to include the words "footway crossing") and also that the application should be inclusive of additional Conditions 18 and 19 regarding landscaping. It was also explained that the applicant had disputed the amount and validity of the transport contribution and it was therefore recommended that, if granted, the details of this be delegated to the Head of Planning Management. Following debate, these additional and amended Conditions were agreed by the Committee.

Mr Gordon (representing Kings Worthy Parish Council) spoke against the application.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) as set out in the Report, and as amended above (regarding Condition 3 and the inclusion of Conditions 18 and 19 regarding landscaping and clarification of the highways contribution). During their debate, the Committee also agreed to amend Condition 9 to better protect the root of the hedge between the application site and the neighbouring property, 7 Nations Hill “Owlerly Holt” and to include an informative reminding the applicant of limitations regarding construction hours and restrictions in respect of burning on site. The Committee also agreed to include a condition to remove permitted development rights from the site to preserve the character of the area and protect the amenity of neighbours.

**RESOLVED:**

That the decisions taken on the Development Control Applications in relation to those applications outside the area of the South Downs National Park be agreed as set out in the Schedule (appended to the minutes for information).

(i) That, in respect of Item 1 (49 Upper Brook Street, Winchester) planning permission be granted, subject to the conditions set out in the Report and that authority be delegated to the Head of Planning Management to agree the final wording of additional conditions regarding deliveries to postal addresses only, the noise of the machinery and an additional informative regarding litter.

(ii) That, in respect of Item 2 (51 Upper Brook Street, Winchester) planning permission be granted, subject to the conditions set out in the Report and that authority be delegated to the Head of Planning Management to agree the final wording of an additional informative reminding the applicant of their responsibilities under other legislation regarding litter from the premises.

(iii) That, in respect of Item 3 (Parchment Street Clinic, Winchester) planning permission be granted, subject to the conditions set out in the Report and that authority be delegated to the Head of Planning Management to agree the final wording of an additional informative reminding the applicant of limitations regarding hours of construction and restriction on burning.

(iv) That, in respect of Item 4 (Red Marley, 1 Nations Hill, Kings Worthy) planning permission be granted, subject to the conditions set out in the Report and that authority be delegated to the Head of Planning Management to agree the final wording of additional conditions regarding Conditions 18 and 19 (landscaping), the highways contribution, an amendment to Condition 3 (to include “footway crossing”), an amendment to Condition 9 to better protect the root of the hedge between the application site and the neighbouring property, 7 Nations Hill

“Owlery Holt”, a condition to remove permitted development rights and an additional informative reminding the applicant of their limitations regarding construction hours and restriction on burning.

**Applications within the area of the South Downs National Park determined on behalf of the National Park Authority:**

**Item 5: Itchen Abbas House, Main Road, Itchen Abbas – Case Number 11/00312/FUL**

Mr Parker (one of the applicants) spoke in support of the application.

At the conclusion of debate, the Committee agreed to refuse planning permission for the reasons set out in the Report.

**RESOLVED:**

That the decisions taken on the Development Control Applications in relation to those applications within the area of the South Downs National Park be agreed as set out in the Schedule (appended to the minutes for information).

The meeting commenced at 9.30am and concluded at 1.30pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE: DEVELOPMENT CONTROL MEETING

**DECISIONS**

**16.06.2011**

PART II DEVELOPMENT CONTROL APPLICATIONS  
AND DECISIONS THEREON

**Winchester Town**

**Ward**

**St Bartholomew**

- 1     **Conservation Area:** Winchester Conservation Area
- Case No:** 10/02996/FUL
- Ref No:** W00948/13
- Date Valid:** 19 November 2010
- Grid Ref:** 448245 129604
- Team:** WEST                   **Case Officer:** Mr Simon Avery
- Applicant:** Solent Pizza Delivery Limited
- Proposal:** Variation of condition 2 of Planning permission 09/00804/FUL to allow the premises to open to the public from 8:00hrs until 01:00hrs the following day seven days a week and to permit deliveries from the rear of the premises between 08:00hrs and 21:00hrs, from the front of the premises between 23:00hrs and 05:00hrs and to the front of the premises only between 8:00hrs and 23:00 hrs, seven days a week.

**Location:** 49 Upper Brook Street, Winchester, Hampshire, SO23 8DG

**Officer** PER

**Recommendation**

:

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

**Conditions/Reasons**

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 The use hereby permitted shall only be open to customers between 0800 hours to 0100 hours (the following day) seven days a week.

Deliveries shall be restricted as follows:

Deliveries from the front of the premises shall only be between the 0800 hours and 0500 hours seven days a week;

Deliveries from the rear of the premises shall only be between 0800 hours and 2100 hours seven days a week;

Deliveries to the front of the premises shall not be received after 2300 hours and no deliveries shall be made to the rear of the premises;

Deliveries from the premises to customers shall not be made from mopeds or motorcycles or any other vehicles in the Driving Licence Categories P, A1 or A.

Reason: To protect the amenities of nearby residents in accordance with Policies DP.3 and DP.11 of Winchester District Local Plan Review.

3 No deliveries shall be made between 1am and 5am other than to a registered postal address.

Reason: To protect the amenities of nearby residents in accordance with Policies DP.3 and DP.11 of Winchester District Local Plan Review.

4 Noise from all mechanical plant as assessed at 1metre from the façade of the nearest residential property, noise from the premises shall not exceed a level of 5dB(A) below background noise as defined by BS 4142: 1997, during hours of operation. In addition noise from the associated plant shall not exceed a level of 10 dB below the prevailing background noise level as defined in Annex D of ISO 1996 Part 2 (2007).

Reason: To protect the amenities of nearby residents in accordance with Policies DP.3 and DP.11 of Winchester District Local Plan Review

### **Informatives**

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

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

Winchester District Local Plan Review 2006: DP3, DP11, HE4, SF1, SF2, SF3  
South East Plan 2009: CC6, BE6

3. The applicant is requested to ensure that any litter disposed of outside the premises as a result of patrons using the premises to be cleared on a regular basis.



**Winchester Town**

**Ward**

**St Bartholomew**

- 2 Conservation Area:** Winchester - Designated as 3 separate areas Dec 1967 and May 1969  
Extended February 1981, June 1986 and January 1990 Now combined into one area.  
Published 2003
- Case No:** 11/00609/FUL  
**Ref No:** W00948/10  
**Date Valid:** 21 March 2011  
**Grid Ref:** 448245 129604  
**Team:** WEST **Case Officer:** Mr Simon Avery  
**Applicant:** Mrs Lesley Cranham  
**Proposal:** Change of use from A1 (retail) to allow the premises to be used within classes A3 (restaurant / cafe) or A5 (hot food take away) of the Town & Country Planning (Use Classes) Order 1987 (as ammended)
- Location:** 51 Upper Brook Street, Winchester, Hampshire, SO23 8DG  
**Officer** PER  
**Recommendation**  
:

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

**Conditions/Reasons**

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 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2006, the premises shall be used only for the purposes of a Restaurant or Cafe (A3 Use Class) or as a Hot Food Takeaway shop (A5 Use Class) and for no other purpose.

Reason: To restrict the use of the premises in the interests of highway safety and local amenity.

3 The uses hereby permitted shall only be open to customers between 1100 hours and 2300 hours. No deliveries to customers shall take place after 2300 hours from the front of the premises and after 2100 hours from the rear of the premises. Deliveries to the front of the premises shall not be received after 2300 hours and no

deliveries shall be made to the rear of the premises unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of surrounding properties.

4 Details of the means of extraction of fumes from the premises shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the use hereby permitted is commenced, and thereafter maintained and operated in accordance with the approved details.

Reason: In the interests of the amenities of the adjoining properties.

5 A full acoustic report to assess the noise from air conditioning, extract ventilation and refrigeration plant shall be submitted to and approved by the Local Planning Authority in writing before the development commences. Any works which form part of the noise protection recommendations shall be completed before the use hereby permitted is commenced unless an alternative period is agreed in writing by the Local Planning Authority. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To ensure that neighbouring residents are not disturbed by noise.

6 Details of the provision to be made for the storage and disposal of refuse from the premises shall be submitted to, and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. This provision shall be fully implemented in accordance with the approved details before the premises is occupied.

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

### **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.

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

Winchester District Local Plan Review 2006: DP3, DP11, HE4, SF1, SF2, SF3  
South East Plan 2009: CC6, BE6

3. The applicant is requested to ensure that any litter disposed of outside the premises as a result of patrons using the premises to be cleared on a regular basis.

**Winchester Town**

**Ward**

**St Bartholomew**

- 3 Conservation Area:** Winchester Conservation Area
- Case No:** 11/00670/FUL
- Ref No:** W06756/02
- Date Valid:** 25 March 2011
- Grid Ref:** 448247 129672
- Team:** WEST **Case Officer:** Miss Megan Birkett
- Applicant:** Mr Simon Austin
- Proposal:** Demolition of existing clinic and construction of new clinic with 2 no. flats above and 1 no. flat to side (Extension to the time limit for implementing planning permission 08/00320/FUL)
- Location:** Parchment Street Clinic, 53 Parchment Street, Winchester, Hampshire, SO23 8BA
- Officer:** PER
- Recommendation:**
- :

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S) AND LEGAL AGREEMENT:-

Application permitted subject to the payment of a financial contribution or legal agreement for public open space of £3684 and highways contribution of £5940 and the following conditions:-

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

**Conditions/Reasons**

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 development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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 windows or doors other than those expressly authorised by this permission shall, at any time, be constructed in the elevations of the development hereby permitted.

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

4 No development, 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 development shall not be completed other than in accordance with the approved details.

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

5 No development, or site preparation prior to development which has any effect on disturbing or altering the level or composition of the land, shall take place within the site until the applicant (or their agents or successors in title) has secured and implemented 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. This shall include details of any temporary works which may have an impact on the archaeology of the site.

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

6 Before any works hereby permitted are begun, details of the below ground works and foundation type and configuration shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with approved details.

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

7 The first floor window(s) in the western elevation of the development hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

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

8 There shall be no access to the green roof area other than for the purposes of maintenance and repair and at no time shall it be used for an ancillary recreation area for the development hereby permitted.

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

9 Details of the design of any cycle stores 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: To protect the character and appearance of the Conservation Area.

### **Informatives**

1. This permission is granted for the following reasons:

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

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

Winchester District Local Plan Review 2006: DP1, DP3, DP4, H1, H3, H5, H7, T2, HE1, HE2, HE4, HE5, SF6, SF7, RT4, DP9  
South East Plan 2009: CC6, BE6

3. 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.

4. 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.

**Kings Worthy**

**Ward**

**Kings Worthy**

**4 Conservation**

**Area:**

**Case No:** 10/02052/FUL

**Ref No:** W20856/02

**Date Valid:** 2 August 2010

**Grid Ref:** 448911 133090

**Team:** EAST

**Case Officer:** Mr Andrew Rushmer

**Applicant:**

**Proposal:** Demolition of existing bungalow and erection of 2 no. two bedroom semi-detached dwellings and 1 no. four bedroom detached dwelling. (Amended plans received 05.11.2010 moving the building approximately 2 metres down the slope towards Springvale Road, removing the carport from the side of unit number 3, and amendments to the landscape scheme).

**Location:** Red Marley, 1 Nations Hill, Kings Worthy, Winchester, Hampshire, SO23 7QY

**Officer** PER

**Recommendation**

:

**Committee Decision:**

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S) AND LEGAL AGREEMENT:-

Permission be GRANTED subject to the applicant entering into a legal agreement in respect of financial contributions for Public Open Space Contribution, and for Highways Contribution Policy (exact amount to be delegated to the Head of Planning Management) and subject to the following conditions:

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

**Conditions/Reasons**

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 development hereby permitted have been submitted to and approved in writing by the Local Planning

Authority. Development shall be carried out in accordance with the approved details.

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

3 The proposed access and drive, including footway crossing shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE: A licence is required from Hampshire Highways Winchester, Central Depot, Bar End Road, Winchester, SO23 9NP prior to the commencement of access works.

Reason: To ensure satisfactory means of access.

4 The gradient of the drive shall not exceed 8% within 6 metres of the edge of the adjoining carriageway.

Reason: In the interests of highway safety

5 Before the development hereby approved is first brought into use, the access shall be constructed with a non-migratory surfacing material for a minimum distance of 5 metres from the highway boundary.

Reason: In the interests of highway safety.

6 Before the development hereby approved is first brought into use, visibility splays of 2.0 metres by 25 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times.

Reason: In the interests of highway safety.

7 Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

Reason: In the interests of highway safety.

8 The parking area including the garage shall be provided in accordance with the approved plans before the dwelling is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

Reason: To ensure the permanent availability of parking for the property.

9 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/REDMAR/001 Revision C written by Kevin Cloud of Technical Arboriculture Ltd and submitted to the Local Planning Authority shall be installed prior to any

demolition, construction or groundwork commencing on the site. In addition hedgerow protection shall be undertaken to the root of the hedge in Orley Holt to ensure it is protected during development.

Reason: To ensure protection and long term viability of retained trees, as required by policy DP4 of the Winchester District Local Plan Review 2006.

10 The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with AIA/AMS-KC/REDMAR/001 Revision C. Telephone 01962 848428.

Reason: To ensure protection and long term viability of retained trees, as required by policy DP4 of the Winchester District Local Plan Review 2006.

11 The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848428.

Reason: To ensure protection and long term viability of retained trees, as required by policy DP4 of the Winchester District Local Plan Review 2006.

12 No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement AIA/AMS-KC/REDMAR/001 Revision C.

Reason: To ensure protection and long term viability of retained trees, as required by policy DP4 of the Winchester District Local Plan Review 2006.

13 Any deviation from works prescribed or methods agreed in accordance with Method Statement AIA/AMS-KC/REDMAR/001 Revision C shall be agreed in writing to the Local Planning Authority.

Reason: To ensure protection and long term viability of retained trees, as required by policy DP4 of the Winchester District Local Plan Review 2006.

14 No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.



Reason: To ensure protection and long term viability of retained trees, as required by policy DP4 of the Winchester District Local Plan Review 2006.

15 Works shall be carried out in adherence with the measures set out in within the recommendations section of the Bat and Reptile Survey (Ecosupport, 24 October 2010) relating to bats, and section 3 and figure 1 of the Reptile Survey and Proposed Mitigation Strategy (Ecosupport, May 2011) relating to reptiles, unless otherwise approved in writing by the LPA. In line with those measures, should the demolition works not have commenced prior to October 2011, prior to commencement the results of a resurvey for bats (along with details of any required mitigation and a schedule for progressing the works) shall be submitted to and approved in writing by the LPA, and any mitigation shall thereafter be implemented as approved.

Reason: In order to provide adequate mitigation for bats and reptiles, as required by Planning Policy Statement 9.

16 Any vegetation to be cleared - both hedgerow and any ground vegetation - shall be cleared outside of the bird nesting season (i.e. outside of the period March to August inclusive) and kept short until all the works are completed.

Reason: In the interests of nature conservation, as required by Planning Policy Statement 9.

17 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.

18 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:

Hard Landscape:

existing and proposed finished levels or contours;

hardsurfacing materials;

minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc);

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

Soft Landscape:

Soft landscape details shall include the following as relevant: (Sub Para)  
planting plans:

written specification (including cultivation/other operations associated with 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.

19 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.

20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by 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 and G of Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the character of the area and the residential amenity of neighbouring occupants, as required by policy DP3 of the Winchester District Local Plan Review 2006.

### **Informatives**

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

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

Winchester District Local Plan Review 2006: DP3, DP4, H3, H7, RT4,  
South East Plan 2009: H5, BE1  
Planning Policy Statement 1  
Planning Policy Statement 3

## Planning Policy Statement 9

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 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.

5. The resolution to grant refers to the amended plans labelled 1264: 101 Rev D, 102 Rev D, 104 Rev D, 105 Rev D and the Landscaping Plan ref: 743/01 Rev E.

### SDNP

**Itchen Valley**

**Ward**

**Itchen Valley**

**5**

#### **Conservation**

**Area:**

**Case No:** 11/00312/FUL

**Ref No:** W03724/06

**Date Valid:** 14 February 2011

**Grid Ref:** 453817 132967

**Team:** EAST

**Case Officer:** Mrs Jane Rarok

**Applicant:** Mr And Mrs Parker

**Proposal:** 1 no. three bedroom dwelling, access, landscaping and associated works

**Location:** Itchen Abbas House Main Road Itchen Abbas Winchester Hampshire SO21 1BQ

**Officer** REF

**Recommendation**

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#### **Committee Decision:**

REFUSED FOR THE FOLLOWING REASON(S):-

#### **Conditions/Reasons**

1 The proposal is contrary to Winchester District Local Plan policies H3 and H4, national policy guidance PPS1 Delivering Sustainable Development, PPS3

Housing and PPS7 Sustainable Development in Rural Areas in that it would result in a new dwelling in the countryside for which there is no overriding justification.

2 The proposal is considered contrary to policy DP3 of the Winchester District Local Plan (Review) in that in terms of height, massing and materials the generic barn design does not respect the local distinctiveness of the area and is therefore considered incongruous and out of character with the existing built form. It is considered that the development does not respect the special quality and designation of the South Downs National Park in that it fails to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

3 The proposal is contrary to Policy DP.9 of the Winchester District Local Plan Review in that it fails to make adequate provision for improvements to transport and the highway network, in accordance with Hampshire County Council's Transport Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and burden imposed on the existing network arising from this development.

4 The proposal is contrary to Policy RT4 of the Winchester District Local Plan Review 2006 in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.

### **Informatives**

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

Winchester District Local Plan Review 2006:DP3, DP9, CE5, H3, RT4  
South East Plan 2009:C2, C4, CC1,

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