

PLANNING DEVELOPMENT CONTROL COMMITTEE

28 July 2011

Attendance:

Councillors:

Jeffs (Chairman) (P)

Berry (P)

Clear (P)

Izard (P)

Johnston (P)

Laming (P)

McLean (P)

Mitchell (P)

Pearce

Read

Ruffell (P)

Tait (P)

Deputy Members:

Councillor Love (Standing Deputy for Councillor Pearce)

Councillor Scott (Standing Deputy for Councillor Read)

Others in attendance who addressed the meeting:

Councillors Mather and Verney

1. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee held on 13 and 16 June 2011 be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**

[\(Report PDC904 refers\)](#)

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

By way of a personal statement, Councillor McLean explained that there was a risk of a perception of predetermination in relation to Item 1 of the South Downs National Park applications (Ashton Farm), as he had voted on this item (as a Bishops Waltham Parish Councillor) when the Parish Council considered the application. Councillor McLean therefore sat in the public gallery for this item and did not speak or vote thereon.

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

The following items had speakers during public participation:

Item 1: Staple Chambers, Staple Gardens, Winchester – Case Number 10/02813/FUL

The Head of Planning Management explained that, at his invitation, the Committee had visited the site informally on 26 July 2011 to improve their understanding of the application. At the site visit, Members were shown the location of the proposed building and viewed its potential impact from neighbouring properties, in addition to noting the character of the area. Councillors Clear, Love and McLean, who were the only members unable to attend the informal site visit, confirmed after the officer's presentation and public participation, that they had sufficient information and understanding to determine the application and they spoke and voted thereon.

The Head of Planning Management also explained, subsequent to the publication of the Report, further information had been received regarding Conservation Area Consent to demolish the existing building. He also explained that, whilst the Council's Historic Environment Officer (Archaeology) had raised no objection to the proposals, she had recommended a series of related additional conditions (as set out in the update sheet), which were agreed by the Committee.

Mr Routledge (a local resident) spoke against the application and Mr Tyrell (applicant's architect) spoke in support.

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 archaeology and heritage issues.

Item 2: Land at rear of 81 St Cross Road, Winchester – Case Number 10/00855/FUL

Subsequent to the publication of the Report, the Head of Planning Management recommended an amendment to Condition 8 (regarding windows) and a new Condition 17 (regarding the demolition of the existing garage). At the conclusion of debate, these amendments were agreed. He also clarified that, as a result of the amended plans, the proposal was for a two bedroom dwelling and not a three bedroom dwelling as stated on the application description.

Reverend Sweet (a local resident) and Councillor Mather (a Ward Member) spoke against the application and Mrs Mullins (the applicant) spoke in support.

In summary, Councillor Mather raised concerns that the previous owner of the site had been informed by the Council, as part of a pre-application discussion in 2005, that consent could not be granted for a change of use and a then-proposed bungalow on the site. The site had therefore been sold by the

previous owner, who was now aggrieved to discover the Council recommending approval for a residential property. Councillor Mather did not think that the case for that apparent u-turn had been sufficiently explained. She considered that the site should remain for employment use as there was sufficient demand and yet little supply of such sites in Winchester. She also considered that the proposed development had poor access, was an over-development of the site and would be overbearing and overlook the adjacent Master's Lodge.

In response, the Head of Planning Management explained that the site had lain dormant for many years and, if used for employment use, it was likely that this could cause greater harm to the amenity of neighbours than the proposed residential development. The Committee also noted that the density of the development equated to approximately 30 dwellings per hectare and that the Conservation Officer had raised no objection regarding its impact on the listed Master's Lodge. The Head of Planning Management also explained that Condition 8, as amended, prevented overlooking and that the buildings were 19-21 metres apart. The Head of Access and Infrastructure confirmed that, assessed against the Manual for Streets (which was adopted after 2005), he had no objection to the proposal.

The Head of Legal Services added that the pre-application advice given to the previous owner of the site in 2005 was not a matter for this Committee, as they should consider the merits of the application before them.

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 the amendments to Condition 8 (regarding windows) and a new Condition 17 (regarding demolition of the existing garage) as set out in the update sheet.

Item 3: Chalgrave, Otterbourne Road, Shawford – Case Number 11/00602/FUL

Ms Tasker-Poland (a local resident) and Mr Bell (Compton and Shawford Parish Council) spoke against the application.

The Head of Planning Management explained that, subsequent to the publication of the Report, a letter in support of the application had been received.

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.

Item 4: New House, Bishops Sutton Road, Bishops Sutton – Case Number 11/01435/LIS

The Head of Planning Management explained that, subsequent to the publication of the Report, a representation had been received from Bishops

Sutton Parish Council which supported the application and a further four letters of representation had been received (two in support and two against).

Mr Cole (representing owners of a nearby property) spoke against the application and Councillor Verney (Ward Member) and Mr Dowling (applicant's agent) spoke in support.

In summary, Councillor Verney explained that the demolition of the walls was required to avoid dangerous on-street parking; that the existing walls were in need of substantial repair and were not worthy of preservation and therefore should be replaced by a new brick and flint wall.

In response, the Head of Historic Environment explained that the walls formed part of the special interest of the listed building and were included on historic maps. The Head of Planning Management advised that the Council's Highway Engineer did not consider that the removal of the wall was necessary in highway safety terms

At the conclusion of debate, the Committee agreed to refuse the listed building application for the reasons set out in the Report.

Item 5: Eden Cottage, The Drove, Durley – Case Number 11/00649/FUL

The Head of Planning Management corrected an error in the Report – under relevant planning history a variation of a permission to allow rooflights had been permitted.

Mr Holtum (Durley Parish Council) spoke against the application and Mr Smith (on behalf of the applicant) spoke in support.

At the conclusion of debate, the Committee agreed to grant planning permission for the reasons (and subject to the conditions) set out in the Report with additional informatives regarding construction hours and no burning on site.

RESOLVED:

1. That the decisions taken on the Development Control Applications in relation to those applications outside the area of the South Downs National Park as set out in the Schedule which forms an appendix to the minutes, be agreed.

(i) That, in respect of Item 1 (Staple Chambers, Staple Gardens, Winchester), planning permission be granted, subject to the conditions set out in the Report and with additional conditions regarding archaeology and heritage issues.

(ii) That, in respect of Item 2 (Land at rear of 81 St Cross Road, Winchester), planning permission be granted, subject to the conditions set out in the Report and with

amendments to Condition 8 (regarding windows) and a new Condition 17 (regarding demolition of the existing garage).

iii) That, in respect of Item 5 (Eden Cottage, The Drove, Durley), planning permission be granted, subject to the conditions set out in the Report and with additional informatives regarding construction hours and no burning.

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

The following items had speakers during public participation:

Item 1: Ashton Farm, Ashton Lane, Bishops Waltham – Case Number 11/00692/SFUL

The Head of Planning Management corrected an error in the Report, as the section relating to representations had been omitted. In summary, 14 letters had been received objecting to the application.

Dr Ferrer (a local resident) and Ms Quiney (Bishops Waltham Parish Council) spoke against the application and Mr Donohue (the applicants' agent) spoke in support.

At the conclusion of debate, the Committee did not support the recommendation set out in the report and instead agreed to refuse planning permission as the Committee decided that the proposal was contrary to Policies RT11 and DP3 of the Local Plan in that the provision of the covered manege and new manege would result in a harmful impact to the landscape character of the area by reason of overdevelopment, scale and size. Therefore, it did not preserve or enhance the South Downs National Park.

Item 2 Oakley, Alresford Road, Cheriton – Case Number 11/01159/SFUL

Councillor Verney (Ward Member) and Mr Budd (applicant) spoke in support of the application.

In summary, Councillor Verney questioned why the site was considered to be in an area that was restricted by countryside policies and reported that there had been support in the local community for the proposal (including the Parish Council) and that the existing colonial-style building had proved difficult to heat. He also explained that the adjoining Local Planning Authority included outbuildings in their assessment of the size of small, affordable properties (which would have greatly reduced the percentage increase proposed) and that the new building was sympathetic to the surrounding character of the area.

At the conclusion of debate, the Committee agreed not to support the recommendation to refuse the application as set out in the Report, but instead agreed to grant planning permission. The Committee agreed that the application overcame the restriction of Policy CE23 because they did not

consider the proposal harmful to the character of the residential area and that the applicant's proposals to build the home to Sustainable Level Code 5 required a greater floorspace than a less sustainable, replacement building. The Committee also delegated authority to the Head of Planning Management (in consultation with the Chairman) to impose suitable conditions.

RESOLVED:

1. That, in respect of Item 1 (Ashton Farm, Ashton Lane, Bishops Waltham), planning permission be refused as the application was contrary to Policies RT11 and DP3 of the Local Plan in that the provision of the covered manege and new manege would result in a harmful impact to the landscape character of the area by reason of overdevelopment, scale and size and consequently did not therefore preserve or enhance the South Downs National Park.

2. That, in respect of Item 2 (Oakley, Alresford Road, Cheriton), planning permission be granted as the application overcame the restriction of Policy CE23 as it was not harmful to the character of the residential area and that the applicant's proposals to build the home to Sustainable Level Code 5 required a greater floorspace than a less sustainable, replacement building. Authority was delegated to the Head of Planning Management (in consultation with the Chairman) to impose suitable conditions.

3. **PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE MINUTES**

[\(Report PDC905 refers\)](#)

RESOLVED:

That the minutes of the Planning Development Control (Viewing) Sub-Committee, held 14 June 2011, be approved and adopted (attached as Appendix A to the minutes).

4. **INTECH, MORN HILL, WINCHESTER – VARIATION OF SECTION 106 AGREEMENT**

(Report PDC889 refers)

After the publication of this report, the item was called in by the South Downs National Park Authority and would be determined by the Authority itself. The report was therefore removed from the agenda.

The meeting commenced at 9.30am, adjourned for lunch between 1.00pm and 2.00pm and concluded at 4.00pm

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

DECISIONS

28.07.2011

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Winchester Town

Ward

St Bartholomew

- 01 Conservation** Winchester Conservation Area
Area:
Case No: 10/02813/FUL
Ref No: W09184/06
Date Valid: 4 November 2010
Grid Ref: 447951 129724
Team: WEST **Case Officer:** Mr Andrew Rushmer
Applicant: Staple Chambers Developments Ltd
Proposal: (AMENDED PLANS) Mixed use redevelopment of site comprising of B1(a) office floor space to ground floor and within existing basement, 2 no. one bedroom flats and 9 no. two bedroom flats plus associated car parking structure to rear of building. (amended plans received 06.06.2011 altering the design of the building, reducing the height by one storey, reducing the number of proposed units by one, making changes to the parking layout and altering the proposed landscaping scheme).
Location: Staple Chambers, Staple Gardens, Winchester, Hampshire, SO23 8SR
Officer PER
Recommendation
:

Committee Decision:

APPROVE –SUBJECT TO THE FOLLOWING CONDITION(S) and subject to a Section 106/Section 278 Agreement for:

1. A financial contribution of £31340. towards highway improvements
2. A financial contribution of £17864 towards the provision of public open space through the open space funding system

(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 (including windows and any hard surfacing) 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 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

4 Notwithstanding the plans submitted, the location of the bin store is to be agreed in writing by the local planning authority prior to the commencement of development and the development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

5 Notwithstanding the plans submitted, the exact number and type of solar panels are to be agreed in writing by the local planning authority prior to the commencement of development and the development shall be carried out in accordance with the approved details and retained thereafter unless otherwise agreed in writing by the local planning authority.

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

6 Prior to the commencement of development, detailed drawings at 1:10 scale of external windows, balconies and roof verges are to be agreed in writing by the local planning authority, and the development shall be carried out in accordance with the approved details.

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

7 Prior to the commencement of the development hereby permitted (or within such extended period as may be agreed with the Local Planning Authority), a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites - code of practice and Contaminated Land Reports 7 to 11, or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

- a) A desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;
- c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

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

8 Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provision of E110c) shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under the provisions of conditions E110c) has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

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.

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

10 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 and turning of vehicles.

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

11 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to ensure that the building has an acceptable impact on the street scene, and the residential amenity of neighbouring properties.

12 Prior to the commencement of development, details of railings, and any other means of enclosure, are to be agreed in writing the local planning authority, and the development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended, no development permitted by Class A of Part 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area.

14 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work (including archaeological evaluation below the existing 1960's building) in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

1. An assessment of significance and research questions
2. The programme and methodology of site investigation and recording
3. Provision for post investigation assessment, reporting and dissemination
4. Provision to be made for deposition of the analysis and records of the site investigation (archive)
5. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

15 Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

16 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1a) and the provision made for analysis, publication and dissemination of results approved under condition (1b) and archive deposition has been secured, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

17 Before any works hereby permitted are begun, details of the foundations, piling configuration, drainage and services to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to be preserved.

Reason: To ensure the conservation and protection of important archaeological remains present within the site, in compliance with policy HE.1 of the 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:-

South East Plan 2009:

H4, H5, NRM5, NRM11, M1, BE1, BE6.

Winchester District Local Plan Review 2006

DP1, DP3, DP4, DP9, DP13, HE1, HE4, HE5, H3, H7, E2, SF2, RT4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPG 3 Housing

PPG 4 Planning for Sustainable Economic Development
PPS 5 Planning for the Historic Environment
PPS 9 Biodiversity and Geological Conservation
PPG 13 Transport
PPG 16 Archaeology and planning
PPS 22 Renewable Energy
PPS 23 Planning and Pollution Control

3. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection points for the development please contact Atkins Ltd Anglo St James House 39A Southgate Street Winchester S023 9EH Tel 01962 858688 or www.southernwater.co.uk.

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.

5. The permission hereby granted refers to the amended plans, namely those received on 6th of June 2011 and labelled: 1008_13_P4, 1008_12_P5, 1008_10_P4, 1008_09_P3, 1008_07_P6, 1008_08_P3, 1008_06_P2, 1026_GA_100, 1026_PP_300.

	Winchester Town	Ward	St Michael
02	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:	10/00855/FUL	
	Ref No:	W21772	
	Date Valid:	6 May 2010	
	Grid Ref:	447576 127906	
	Team:	WEST	Case Officer: Mr James Jenkison
	Applicant:	Mrs Andrea Mullins	
	Proposal:	Demolition of garage/workshop; erection of 1 no. two bed dwelling with associated parking and landscaping (AMENDED PLANS)	
	Location:	Land At Rear Of 81 St Cross Road Winchester Hampshire	
	Officer	PER	
	Recommendation		
	:		

Committee Decision:

APPLICATION PERMITTED subject to the payment of a financial contribution of £2,458 toward public open space and the payment of a financial contribution of £3,745 toward Hampshire County Council's Transport Contributions Policy and subject to the following conditions:

(Note: If the Legal Agreement or payment 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 and their method of application to be used in the construction of the external surfaces of the dwelling 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 external finish of the dwelling does not result in the proposal harming the setting of the nearby listed building (The Masters Lodge) or the character of the Conservation Area.

3 The development hereby permitted shall only be undertaken in accordance with the amended plans date stamp received 23 December 2010 and saved to the Council website database for the application on 25 January 2011.

Reason: For the avoidance of doubt as to the scope of this planning application.

4 In this condition "retained tree" means the Spruce tree (T002) and the Sycamore tree (T003) as shown on the amended site plan date stamp received 23 December 2010 and paragraphs (a) and (b) below shall have effect until the development hereby approved is complete.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped, without prior consent being obtained from the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of the trees and vegetation specified in this condition shall be undertaken in accordance with the arboricultural impact assessment and method statement submitted with the planning application (prepared by Enviroplant on 11 March 2010 and annotated as 79b St. Cross Road) before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made (including within the rear section of land adjacent to the protected Sycamore tree identified on the plan attached to the arboricultural impact assessment and method statement), without the written consent of the Local Planning Authority.

The applicant is advised that the site is located within a Conservation Area and that the trees on and adjacent to the site are statutorily protected.

Reason: To ensure the protection of trees and vegetation important to the character of the Conservation Area and the setting of The Masters Lodge, the retention of which is essential in making the development acceptable.

5 A detailed scheme for hard surface materials, landscaping, tree and/or shrub planting and boundary treatment (including the positions, design, materials and type of boundary treatment to be erected) shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the proposal presents a satisfactory appearance in relation to its surroundings and to protect the character of the Conservation Area and setting of The Masters Lodge.

6 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, E, F, G and H of Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the privacy and amenities of adjoining properties, to prevent overdevelopment of the site, to ensure the adequate drainage of the site and to ensure that the development maintains a satisfactory appearance in relation to its

sensitive location within the Conservation Area and the setting of The Masters Lodge (a listed building).

7 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 windows, rooflights or dormers shall be inserted, and no enlargement of the existing windows expressly authorised by this permission shall be made in any elevation of the dwelling hereby permitted.

Reason: To protect the privacy and amenities of adjoining properties and to ensure that the development maintains a satisfactory appearance in relation to its sensitive location within the Conservation Area and the setting of The Masters Lodge (a listed building).

8 The following restrictions shall apply to the relevant windows as listed below:

- (i) The rooflights in the east rear elevation shall be fixed in the position shown on the approved plans and comprise of 2 panes each. The lower pane of each rooflight shall be fixed shut to at least a height of 1.7 metres above floor level and thereafter retained as such.
- (ii) The lower pane of the central rooflight in the east rear elevation of the dwelling hereby approved shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4 and the glazing shall thereafter be retained in this condition at all times.
- (iii) The slit window in the gable aspect of the south side elevation shall be fixed shut and thereafter retained as a non-opening window.

Reason: To protect the privacy and amenities of neighbours and to ensure the proposed development presents a satisfactory appearance in relation to its setting.

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

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

10 Before the development hereby approved is first brought into use, a turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

Reason: In the interests of highway safety.

11 Before the development hereby approved is first brought into use 2 car parking spaces shall be provided within the curtilage of the site and thereafter maintained and kept available.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

12 Prior to the commencement of the development hereby permitted (or within such extended period as may be agreed with the Local Planning Authority), a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites - code of practice and Contaminated Land Reports 7 to 11, or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

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

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

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

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

13 Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provision of E110c) shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under the provisions of conditions E110c) has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

14 Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been

undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

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

15 None of the dwellings of the development hereby approved shall be occupied until a system for the disposal of sewage and surface water (including methods for the retention/management of greywater and stormwater within the site, such as water butts) has been provided on the site in accordance with details (including layout plans, sections, calculations and identification of management responsibilities post implementation) to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sewage and stormwater disposal from the development can be adequately discharged and to prevent flooding.

16 Prior to work commencing on the site details of the floor slab level shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of neighbouring properties, the locality and the conservation area and to protect the setting of The Masters Lodge.

17 Prior to work commencing on the site the existing garage building shall be demolished and all resultant material removed from the site.

Reason: To ensure the effective development of the site for the dwelling proposed.

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: E2, DP3, DP4, DP9, HE1, HE4, HE5, HE8, HE16, RT4, W1
South East Plan 2009: BE6

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 Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by Environmental Protection, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

No materials should be burnt on site. Where the Health and Housing Service substantiate allegations of statutory nuisance, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through burning of materials is a direct offence under The Clean Air Act 1993.

Should you require further information please contact the Environmental Health Department.

Compton And Shawford

Ward

Compton And Otterbourne

03 Conservation

Area:

Case No: 11/00602/FUL

Ref No: W18003/04

Date Valid: 18 March 2011

Grid Ref: 446617 124500

Team: WEST **Case Officer:** Mr Ian Cousins

Applicant: Reed Developments Ltd

Proposal: Amendment to planning permission 10/01317/FUL to include new site access drive and repositioned double garage.

Location: Chalgrave, Otterbourne Road, Shawford, Winchester, Hampshire, SO21 2DG

Officer PER

Recommendation

:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

In seeking the planning obligation(s) and/or financial contributions for £2,950 towards the Open Space Strategy Fund and the amount of £5,457.00 in accordance with the Transport Contribution Policy, 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.

(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 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.

4 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement by Ben Abbatt of Sapling Arboriculture Ltd. and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

5 The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Impact Appraisal and Method Statement by Ben Abbatt of Sapling Arboriculture Ltd.. Telephone 01962 848317.

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

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

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

7 No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Appraisal and Method Statement by Ben Abbatt of Sapling Arboriculture Ltd.

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

8 Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Method Statement by Ben Abbatt of Sapling Arboriculture Ltd. shall be agreed in writing to the Local Planning Authority.

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

9 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 and to minimise impact of construction activity.

10 Prior to the commencement of the development hereby permitted (or within such extended period as may be agreed with the Local Planning Authority), a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites - code of practice and Contaminated Land Reports 7 to 11, or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

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

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

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

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

11 Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provision of E110c) shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under the provisions of condition 10 above has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

12 Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

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

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

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

14 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary

treatment shall be completed before the dwelling hereby permitted is first occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

15 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 other than those expressly authorised by this permission shall, at any time, be constructed in the first floor north east or south west elevation(s) of the dwelling hereby permitted.

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

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:-

South East Plan 2009: CC6

Winchester District Local Plan Review 2006: DP1, DP3, DP5, DP9, RT4, H3, T2, HE1

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

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.

Bishops Sutton

Ward

Cheriton And Bishops Sutton

04 Conservation

Area:

Case No: 11/01435/LIS

Ref No: W01058/11LB

Date Valid: 23 June 2011

Grid Ref: 460983 131817

Team: EAST

Case Officer: Mrs Anna Hebard

Applicant: Mr And Mrs Harvey

Proposal: Demolition of 2 no walls; removal of fence; construction of flint boundary wall; enlargement of parking/turning area

Location: New House, Bishops Sutton Road, Bishops Sutton, Hampshire, SO24 0AL

Officer REF

Recommendation

:

Committee Decision:

REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON(S):-

Conditions/Reasons

1 The proposed demolition of historic garden walls would result in the loss of historic fabric, and it would harm the setting of the listed building and the character of the area, contrary to Local Plan Policies HE.14 and PPS.5.

Informatives

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

Winchester District Local Plan Review 2006: HE14

Durley

Ward

Owslebury And Curdrige

05

Conservation

Area:

Case No: 11/00649/FUL

Ref No: W22175

Date Valid: 25 March 2011

Grid Ref: 453043 117631

Team: WEST

Case Officer: Lisa Booth

Applicant: Mrs P Smith

Proposal: (HOUSEHOLD) Single storey side extension

Location: Eden Cottage, The Drove, Durley, Southampton, Hampshire,
SO32 2EY

Officer PER

Recommendation

:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

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, CE23
South East Plan 2009: CC6

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.

SOUTH DOWN NATIONAL PARK APPLICATIONS:

Bishops Waltham

Ward

Bishops Waltham

01

Conservation

Area:

Case No: 11/00692/SFUL

Ref No: W11970/08

Date Valid: 1 April 2011

Grid Ref: 455134 119246

Team: SDNPA **Case Officer:** Mr Rob Riding

Applicant: Mr & Mrs Byers

Proposal: Construction of a building over existing manege and formation of new manege

Location: Ashton Farm Ashton Lane Bishops Waltham Southampton Hampshire SO32 1FR

Officer PER

Recommendation

:

Committee Decision:

RECOMMENDATION OVERTURNED - REFUSED SUBJECT TO THE FOLLOWING REFUSAL REASON:-

Conditions/Reasons

1 The proposal is contrary to policy RT.11 and DP.3 of the Winchester District Local Plan Review in that the provision of the covered manege and new outdoor manege will result in a harmful impact to the landscape character of the area by reason of overdevelopment in scale and size and consequently results in visual

authorised by this permission shall, at any time, be constructed in the east and west elevations of the development hereby permitted.

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

4. The dwellings hereby permitted shall be constructed to an energy efficiency standard equivalent to Code 5 of the Code for Sustainable Homes or any equivalent standard that may be provided in any amending or replacing standards relating to the sustainability construction standards of dwellings.

Reason: The approval of this development weighted the sustainable design credentials of the proposals as worthy of materially offsetting other policy objections to the development.

5. Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

6. 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.

7. 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.

8. Details of the position and type of foul water disposal facility including surrounding ground levels, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The agreed works shall be fully implemented before the before the dwelling is occupied.

Reason: To ensure satisfactory provision of foul drainage.

Informatives

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

Winchester District Local Plan Review 2006: DP3, CE23
South East Plan 2009: CC6, C2, C4
