

## **PLANNING COMMITTEE**

**18 September 2014**

**Attendance:**

Councillors:

Ruffell (Chairman) (P)

Evans (P)

Izard

Jefferies (P)

Johnston (P)

McLean (P)

Pearson

Read (P)

Rutter (P)

Scott (P)

**Deputy Members:**

Councillor Clear (Deputy for Councillor Izard)

**Others in attendance who addressed the meeting:**

Councillors Hiscock, Phillips and Weir

**Others in attendance who did not address the meeting:**

Councillor Tait

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1. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee, held on 21 August 2014 be approved and adopted.

2. **DEVELOPMENT CONTROL SCHEDULE**  
(Report PDC1003 and Update Sheet refers)

The Schedule of Development Control decisions arising from consideration of the above Report is circulated separately and forms an appendix to the minutes.

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1003.

In respect of Item 5 (Evergreen, Forest Road, Denmead), Councillor Read declared a personal and prejudicial interest as the application site was in the same road as his own property, and he left the meeting for consideration of this item and did not vote thereon.

Councillor Phillips as a Ward Councillor speaking in respect of item 5 (Evergreen, Forest Road, Denmead), declared a personal and prejudicial interest as the application site was in the same road as his own property, and he left the meeting after speaking on this item during public participation.

Councillor Evans declared a disclosable pecuniary interest regarding Item 7 as the application was in respect of her own property and she left the meeting for consideration of this item and did not vote thereon.

**Applications inside the area of the South Downs National Park:**

Item 1: Lower Chilland House, Lower Chilland Lane, Martyr Worthy, Winchester SO21 1EB

Lighting timing restriction to be replaced by the requirements of the approved lighting control strategy. Variation of condition 5 of planning permission – Case number: 07/00123/FUL

During public participation, Mr Tovell and Parish Councillor Penny Flemons representing Itchen Valley Parish Council spoke in objection to the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons that with the proposed increase in the operating hours of the lighting to 2300 hours would result in a form of development that would be harmful to the character and appearance of the area and affect the dark skies, tranquillity, sense of place and setting of this rural countryside location within the Chilland Conservation Area and South Downs National Park. The proposal did not conserve and enhance the South Downs National Park, which had been designated for its natural beauty, wildlife and cultural heritage of the area, with the precise wording being delegated to the Head of Development Management to determine in consultation with the Chairman.

**Applications outside the area of the South Downs National Park (WCC):**

Item 2: 24 Sermon Road Winchester Hampshire SO22 5NY

Erection of detached two bedroom house, integral garage and landscaping (RESUBMISSION) – Case number: 14/01385/FUL

The Head of Planning Management referred Members to the Update Sheet which stated that the proposed dwelling would be approximately 6.3 metres in width and when the single storey garage was included the full width would be 9.5 metres are not 7.8 metres as the report indicated. The dwelling would be set back 9.5 metres to the garage and approximately 10.2 metres to the proposed dwelling itself and not 7metres as indicated in the report.

During public participation, Louiza Wiltshire spoke in objection to the application.

During public participation, Councillor Weir spoke on this item.

In summary, Councillor Weir stated that the application site was a modest plot on a prominent site in Teg Down, Winchester. The originally proposed three bed dwelling had now been reduced to a two bed house but the flat roof element could be extended over in the future and there was little space round the dwelling. As the plot included free land to develop, a contribution should have been received towards affordable housing, which was not the case. The development did not keep to the Neighbourhood Design Statement in terms of its impact on trees, greenery and wildlife and the use of slate tiling was not in keeping with the character of the area.

In reply, the Head of Development Management, stated that condition 4 removed permitted development rights and therefore planning permission would be required to alter the dwelling in the future. An informative could also be included to ensure that the driveway was constructed from a permeable material.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report, including an additional informative to ensure that the driveway was constructed from a permeable material.

Item 3: Mucky Duck 84 Hyde Street Winchester Hampshire SO23 7DW  
Demolition of existing boiler house and erection of garden bar servery and boiler house to the rear – Case number: 14/01262/FUL

The Head of Development Management referred Members to the Update Sheet which outlined the concerns raised in a second letter of objection received from a neighbour responding to the Report and a note from the agent.

During public participation, Helen Bliault spoke in objection to the application.

During public participation, Councillor Hiscock spoke on this item.

In summary, Councillor Hiscock stated that the rear of the premises did need refurbishment but there were concerns from nearby residents about the extent of extra disturbance that would arise from the late night serving of food and drinks and for extended periods on public bank holidays. The increased number of patrons using the outside area could cause disturbance and should be controlled by conditions on time of operation via planning conditions and through licensing conditions. There was also a desire that rats disturbed by development works should be proactively managed.

In reply, the Head of Environment stated that the Council had powers to deal with the treatment of rats, including the advice of Building Control during construction. The Head of Legal and Democratic Services added that the inclusion of an outside bar would also require licensing approval.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report.

Item 4: Mucky Duck 84 Hyde Street Winchester Hampshire SO23 7DW  
Demolition of existing boiler house and erection of garden bar servery and  
boiler house to the rear – Case number: 14/01284/LIS

At the conclusion of debate, the Committee agreed to grant listed building consent for the reasons and subject to the conditions and informatives set out in the Report.

Item 6: Evergreen, Forest Road ,Denmead, Waterlooville, Hampshire  
Approval of reserved matters for appearance, landscape and layout with  
reference to Outline Planning Permission 12/01258/OUT – Case number:  
14/01233/REM

During public participation, Parish Councillor Lander-Brinkley (Denmead Parish Council) spoke in objection to the application and Robert Tutton, Agent, spoke in support.

During public participation, Councillor Phillips spoke on this item.

In summary, Councillor Phillips stated that Forest Road was not an urban area and that the development density of 46 dwellings per hectare was out of character with the local area. The potential occupiers would be young people or young families who would require a car as there were limited bus services, and, as the site had inadequate car parking provision, this would lead to parking on the road, which raised safety concerns. In addition, since the application had been granted outline planning consent, trees and shrubbery had been removed from the site and buildings demolished and the roof removed, with the developer not respecting planning conditions. The proposed development was also not in keeping with neighbouring development.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report, together with clarification of condition 01, that the approved block paving shall be permeable.

The following items did not have public participation.

Item 5: 20 West End Terrace Winchester Hampshire SO22 5EN  
New external flue and replacement internal boiler and casing – Case number  
14/01748/LIS

At the conclusion of debate, the Committee agreed to grant listed building consent for the reasons and subject to the conditions and informatives set out in the Report.

Item 7: 3 Copperwood Holt Close Wickham Fareham Hampshire  
1 no. Ash to sectional fell to leave stem at 2m Case number: 14/01619/TPO

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report.

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 be agreed as set out in the Schedule (appended to the minutes for information), subject to:

i) That in respect of Items (24 Sermon Road) an additional informative be included to ensure that the driveway was constructed from a permeable material, and in respect of item 6 (Evergreen, Forest Road), condition 1 be clarified to ensure that the approved block paving shall be permeable.

2. That the decision taken on the Development Control Application in relation to the application inside the area of the South Downs National Park be agreed as follows:

i) That in respect of Item 1 (Lower Chilland House) permission be refused for the reasons that with the proposed increase in the operating hours of the lighting to 2300 hours would result in a form of development that would be harmful to the character and appearance of the area and affect the dark skies, tranquillity, sense of place and setting of this rural countryside location within the Chilland Conservation Area and South Downs National Park. The proposal did not conserve and enhance the South Downs National Park, which had been designated for its natural beauty, wildlife and cultural heritage of the area, with the precise wording being delegated to the Head of Development Management to determine in consultation with the Chairman.

3. **CONFIRMATION OF TREE PRESERVATION ORDER 2107: GREEN LAWNS, VICARAGE LANE, SWANMORE**  
 (Report PDC1004 refers)

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2107 be confirmed with the modification that the plan be amended to accurately show the location of the tree.

4. **CONFIRMATION OF TREE PRESERVATION ORDER 2106: LAND TO THE REAR OF ST NICHOLAS ROW, WICKHAM**  
(Report PDC1005 refers)

Councillor Evans gave a personal explanation that she had commented on the application at a meeting of Wickham Parish Council having mistaken it to be another group of trees. Therefore, so as not to give the impression of pre determination, she withdrew from the meeting, sitting in the public seating, and did not speak or vote thereon.

Councillor Clear declared a personal and prejudicial interest in the item as she was the Chairman of Wickham Parish Council (the applicant) and following speaking during public participation she left the meeting for the debate and did not vote on this item.

During public participation, Councillor Clear (Wickham Parish Council) spoke in objection to the confirmation of the Tree Preservation Order.

**RESOLVED:**

That, having taken into consideration the representations received, Tree Preservation Order 2106 be confirmed.

The meeting commenced at 9.30am, adjourned for lunch between 12.05pm and 2.00pm and concluded at 3.00pm.

Chairman

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

**DECISIONS**

**18.09.2014**

PART II DEVELOPMENT CONTROL APPLICATIONS  
AND DECISIONS THEREON



Working in Partnership



**Winchester Town**

**Ward**

**St Barnabas**

**01 Conservation**

**Area:**

**Case No:** SDNP/14/00545/CND

**Ref No:**

**Date Valid:** 03.02.2014

**Grid Ref:** 452371 132592

**Team:**

**Case Officer:** Bev Harding-Rennie

**Applicant:** Mr David Lyons

**Proposal:** (AMENDED DESCRIPTION 06.08.14) Lighting timing restriction to be replaced by the requirements of the approved lighting control strategy. (Variation of condition 5 of planning permission 07/00123/FUL)

**Location:** Lower Chilland House, Lower Chilland Lane, Martyr Worthy

**Recommendation:** PER

**Committee Decision:**

OVERTURN:-

The proposed increase in the operating hours of the lighting to 2300 hours would result in a form of development that would be harmful to the character and appearance of the area and affect the dark skies, tranquillity, sense of place and setting of this rural countryside location within the Chilland Conservation Area and South Downs National Park. The proposal does not conserve and enhance the South Downs National Park, which has been designated for its natural beauty, wildlife and cultural heritage of the area and is therefore contrary to the NPPF, Circular 2010, South Downs Partnership Management Plan 2013, and policies CP19 and CP20 of the Winchester District Local Plan Part 1 – Joint Core Strategy and saved policies DP3, DP4, DP10 and HE4 of the Winchester District Local Plan Review 2006 .



**Winchester Town**

**Ward**

**St Barnabas**

**02 Conservation**

**Area:**

**Case No:** 14/01385/FUL

**Ref No:** W23231/02

**Date Valid:** 23 June 2014

**Grid Ref:** 445933 130397

**Team:** 1\_NTH **Case Officer:** Lewis Oliver

**Applicant:** Mr Simon Machola

**Proposal:** Erection of detached two bedroom house, integral garage and landscaping (RESUBMISSION)

**Location:** 24 Sermon Road, Winchester, Hampshire, SO22 5NY

**Recommendation:** PER

**Committee Decision:**

That planning permission is granted subject to the following conditions and a Section 106 Agreement in order to review the development through an updated viability appraisal to reflect the actual development costs and sale value of the properties, which might result in financial contributions towards affordable housing provision

(Note: If the Legal Agreement is not completed within 3 months then the application may be refused without further reference to Committee)

**Conditions/Reasons**

That planning permission is granted subject to the following conditions and a Section 106 Agreement in order to review the development through an updated viability appraisal to reflect the actual development costs and sale value of the properties, which might result in financial contributions towards affordable housing provision

(Note: If the Legal Agreement is not completed within 3 months then the application may be refused without further reference to Committee)

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 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 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, F, G of Part 1 and Class A of Part 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: Any works to the scheme need to be carefully controlled to accord with policy CP.13 and to ensure that the design strategy is adhered too.

5 Prior to the occupation of the development hereby permitted detailed information (in the form of SAP as built stage data) demonstrating that all homes meet the Code 5 standard for energy (as defined by the ENE1 and ENE2 in the Code for Sustainable Homes) and the Code 4 standard for water (in the form of a BRE water calculator) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

6 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.

7 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.

8 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 4.5 metres from the highway boundary.

Reason: In the interests of highway safety.

9 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.

### **Informatives**

1. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was updated of any issues during the course of the application.

2. 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP2, CP3, CP7, CP11, CP13, CP14, CP16, CP20, CP21

Winchester District Local Plan Review 2006: DP3, DP4, DP5, H3, T2, T4

4. 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.
5. 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.
6. A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
7. The applicant is advised that the surfacing materials and construction of the driveway permitted shall be permeable (details to be submitted with conditions 02 and 03 of this planning consent), and thereafter retained as permeable surfacing (to accord with condition 4).

**Itchen Valley CP**

**Ward**

**Itchen Valley Ward**

**03 Conservation** Winchester Conservation Area  
**Area:**  
**Case No:** 14/01262/FUL  
**Ref No:** W09756/22  
**Date Valid:** 10 June 2014  
**Grid Ref:** 448067 129901  
**Team:** 2\_STH **Case Officer:** Michelle Thomson  
**Applicant:** Greene King Pub Partners  
**Proposal:** Demolition of existing boiler house and erection of garden bar  
servery and boiler house to the rear  
**Location:** Mucky Duck, 84 Hyde Street, Winchester, Hampshire, SO23  
7DW  
**Recommendation:** PER

**Committee Decision:**

APPROVE SUBJECT TO THE FOLOWING 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).

**Informatives**

1. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.
- the application was acceptable as submitted and no further assistance was required.

2. 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.

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

Winchester District Local Plan Review 2006: DP3, DP11, HE5, HE14  
Winchester District Local Plan Part 1: DS1, CP6, CP8, CP13, CP20

4. 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.

5. 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.

6. The applicant should ensure that these proposals do not result in an unacceptable increase in noise impacts. It is therefore recommended they contact the Environmental Health Service to discuss this matter further.

7. The applicant is advised that this consent must be implemented in conjunction with the accompanying listed building application (Reference: 14/01284/LIS) and any conditions attached to it.

**Winchester Town**

**Ward**

**St Bartholomew**

- 04 Conservation** Winchester Conservation Area
- Area:**
- Case No:** 14/01284/LIS
- Ref No:** W09756/23LB
- Date Valid:** 10 June 2014
- Grid Ref:** 448067 129901
- Team:** 2\_STH **Case Officer:** Michelle Thomson
- Applicant:** Greene King Pub Partners
- Proposal:** Demolition of existing boiler house and erection of garden bar servery and boiler house to the rear
- Location:** Mucky Duck, 84 Hyde Street, Winchester, Hampshire, SO23 7DW
- Recommendation:** PER

**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 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

Reason: To protect the character and appearance of the building and Conservation Area.

4 All works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved

or required by any condition attached to this consent.

Reason: To prevent harm to the character and appearance of the listed building.

### **Informatives**

1. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.
- the application was acceptable as submitted and no further assistance was required.

2. 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.

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

Winchester District Local Plan Review 2006: DP3, HE5, HE14

Winchester District Local Plan Part 1: DS1, CP13, CP20

4. 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.

5. 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.

6. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation





- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the application was acceptable as submitted and no further assistance was required.

2. 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.

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

Local Plan Part 1 - Joint Core Strategy: CP20  
Winchester District Local Plan Review 2006: DP3, HE14

4. 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.

5. 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.



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.

4 No development shall take place until manufacturers details of the proposed doors and windows to be used have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development.

5 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, roof lights or dormer windows other than those expressly authorised by this permission shall, at any time, be constructed in the buildings hereby permitted.

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

6 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.

7 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.

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

Reason: In the interests of highway safety.

9 The rooms within the roof spaces shown as being used for storage shall not be

used as habitable rooms and shall be used only for storage or bathroom purposes.

Reason: To ensure that the mix of dwellings meets the terms and requirements of the outline approval and requirements of policy CP2

10 All works prescribed - both to trees and that related to demolition and construction activities shall be undertaken in strict accordance with the Arboricultural Information ref: JFA0039 written by James Fuller Arboriculture - Evergreen, Forest Road, Denmead and submitted to the Local Planning Authority

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

11 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Information ref: JFA0039 written by James Fuller Arboriculture- Evergreen, Forest Road, Denmead and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site and will remain until the development is complete.

Reason for above condition: to ensure protection and long term viability of retained trees and to minimise impact of construction activity

### **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, DP13, T2,T3, T4 (H7)  
Winchester District Local Plan Joint Core Strategy 2013: CP2, CP13, CP14, MTRA2

3. It is recommended that the Tree Officer is informed once protective measures have been installed so that they can be inspected and deemed appropriate. Evidence will also be required to demonstrate that the protective measures have been installed prior to any demolition, construction or groundwork commences on the site and to show that it has remained until the development is completed before the relevant condition may be discharged.

4. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals



If, within a period of 2 years from the date of planting, the tree (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted at the same place.

The Tree Officer shall be informed once the tree has been planted so that it can be inspected and deemed appropriate.

Reason: for above condition: to maintain the tree cover and the contribution that trees make to the character and amenity of the area.

### **Informatives**

1. A Standard is defined as having 10-12cm girth at planting and having a height between 3.5 and 4 metres at planting. Replacement of trees is enforceable in law and failure to comply with the condition could result in the issue of a tree replacement notice and prosecution if the local planning authority believes that the criteria of the condition has not been met.

Trees make an important contribution to the character of the conservation area creating a green environment which we all enjoy. Winchester City Council encourages the planting of new trees to replace any that are felled in order to maintain the positive benefits that trees provide.

### **PDC 1004**

**PDC 1004 Conservation Area:**

**Case No:**

**Ref No:** 00003-2014-TPO

**Date Valid:**

**Grid Ref:**

**Team:**

**Case Officer:** Mr Thomas Gregory

**Applicant:**

**Proposal:**

**Location:** Greens Lawns, Vicarage Lane, Swanmore

**Recommendation:**

### **Committee Decision:**

That TPO 2107 be confirmed with amended plan to accurately show the location of the tree.

**PDC 1005**

**PDC 1005 Conservation**

**Area:**

**Case No:**

**Ref No:** 02106-2014-TPO

**Date Valid:**

**Grid Ref:**

**Team:**

**Case Officer:** Mr Thomas Gregory

**Applicant:**

**Proposal:**

**Location:** St Nicholas Row, School Lane, Wickham

**Recommendation:**

**Committee Decision:**

That TPO 2106 be confirmed.

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