

PLANNING (VIEWING) SUB-COMMITTEE

Wednesday, 5 September 2018

Attendance:

Councillors
Ruffell (Chair)

Read
Cunningham

Rutter
McLean

Deputy Members:

Councillor Laming (as deputy for Clear) and Weir (as deputy for Izard)

Others in attendance who did not address the meeting:

Councillor Scott

Officers in attendance:

Mrs J Pinnock – Head of Development Management
Ms F Sutherland – Planning and Information Solicitor
Mrs S Tose – Principal Planning Officer (South Downs National Park)
Mr R Green – Senior Planning Officer
Mr I Elvin - Highway Development Control Engineer

Apologies for Absence:

Councillors Clear, Evans and Izard

1. **ITEM 8: 74 OLIVERS BATTERY ROAD NORTH, OLIVERS BATTERY SO22 4JB**

Item 8: Development of six houses with garages and parking; new access road. Demolition of existing.

74 Olivers Battery Road North, Olivers Battery, SO22 4JB

Case Number: 18/01359/FUL

(Extract from Report PDC1115 Item 8 and Update Sheet 16 August 2018 refers).

At its meeting held on 16 August 2018, the Planning Committee agreed that the above application be referred to the Planning (Viewing) Sub-Committee for determination in order to allow Members to assess the proposed access route in the context of its setting, specifically with regard to the concerns raised of the safety of pedestrians and traffic.

At that meeting, the Head of Development Management drew the Committee's attention to the Update Sheet which set out additional Conditions 23 to 27.

In addition, at this meeting a verbal update was provided stating that amended plans had been received for an area of the site. As a result, an amendment had been made to Condition 14 to reflect the amended plan.

Furthermore, it was noted that reference to 14 parking spaces had since been changed to 15 parking spaces and that had subsequently been amended and condition 13 needs to be amended to reflect this.

Public participation had taken place at the aforementioned meeting of the Committee where Sylvia Conway-Jones spoke in objection to the application and Stephen Sherlock (Agent) spoke in support of the application.

At this meeting, Councillor Green also addressed the Committee on this item as Ward Member.

Therefore, immediately prior to the public meeting, the Viewing Sub-Committee visited the application site where Members observed the site in order to gain a better appreciation of the proposal in the context of its setting and an understanding of the safety concerns previously raised.

The Planning Officer presented the application to re-familiarise Members with the proposal and stated that the application had been taken to the Planning Committee for determination with a recommendation to grant permission.

At the conclusion of debate, the Sub-Committee agreed to grant permission for the reasons, conditions and informatives set out in the Report and the Update Sheet and, subject to the amendments proposed in the verbal update above.

RESOLVED:

That the application be permitted for the following reason(s):

Conditions

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

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

02 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.

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

03 Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before development can begin.

03 Reason: To ensure satisfactory provision of foul and surface water drainage.

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

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

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

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

06 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.

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

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

- hard surfacing materials:
- minor artefacts and structures (eg. street furniture, refuse or other storage units, signs, lighting etc):

- means of enclosure, including any retaining structures:
- existing and proposed finished levels or contours:

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

08 Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that all homes meet the equivalent to Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

08 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.

09 The recommendations as listed in Section 5.0 of the submitted Ecological Assessment written by Peach Ecology dated 31st May 2018 shall be adhered to.

09 Reason: In the interests of promoting, protecting and enhancing ecology

10 The existing hedge on the northern boundary shown to be retained on the proposed site plan drawing no. 14 Rev D shall be retained and maintained at a minimum height of 1.5 metres. If within a period of 5 years from the date of permission, any part of the hedge is removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, a replacement hedge 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.

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

11 Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and, WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

11 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.

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

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

12 Reason: To ensure satisfactory means of access.

13 Before the development hereby approved is first brought into use, a minimum of 15 car parking spaces shall be provided within the curtilage of the site and thereafter maintained and kept available.

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

14 The development hereby approved shall be carried out in accordance with the following plans:

Drawing no. 14 Rev D Proposed site plan

Drawing no. 103 Rev B Block Plan

Drawing no. 33 Rev A Proposed garages

Drawing no. 30 Rev A Proposed Plans and Elevations Plots 1 and 2

Drawing no. 105 Location Plan

Drawing no. 31 Rev A Proposed Plans and Elevations Plots 3 and 4

Drawing no. 32 Rev B Proposed Plans and Elevations Plots 5 and 6

Drawing no. 16276-BT2 Tree Protection Plan

Drawing no. 500 Rev D Site Entrance Road Details (received 24.08.2018)

Notwithstanding Drawing no. 14 Rev D, the access arrangements and boundary must be constructed in accordance with Drawing no. 500 Rev D.

14 Reason: For the avoidance of doubt and in the interests of proper planning

15 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Assessment and Method Statement – Barrell Consultancy ref. 16276-AA-CA dated 6th October 2017, and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

15 Reason: To ensure the protection and retention of trees on site

16 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 Ref:

16276-AA-CA dated 6th October 2017 Telephone - Principal Tree Officer.
01962 848403

16 Reason: To ensure the protection and retention of trees on site

17 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 848403

17 Reason: To ensure the protection and retention of trees on site

18 No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Assessment ref. 16276-AA-CA dated 6th October 2017.

18 Reason: To ensure the protection and retention of trees on site

19 Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Assessment and Method Statement Ref: 16276-AA-CA dated 6th October 2017 shall be agreed in writing to the Local Planning Authority.

19 Reason: To ensure the protection and retention of trees on site

20 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.

20 Reason: To ensure the protection and retention of trees on site

21 A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree officer.

21 Reason: To ensure the protection and retention of trees on the site

22 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 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 cleared sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

23 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.

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

NOTE – A licence is required from Hampshire Highways Winchester, Bishops Waltham Depot Botley Road, Bishops Waltham, SO32 1DR prior to commencement of access works.

Reason: To ensure satisfactory means of access.

25 The existing wall situated along the southern boundary adjoining Badger Farm Road for a distance of 5 metres from the proposed shared private access shall be lowered to and at no time be more than 0.6 metres above the level of the carriageway.

Reason: In the interests of highway safety.

26 The parking areas including the garages shall be provided in accordance with the approved plans before the dwellings are 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 houses as a residences.

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

INFORMATIVE NOTE - The minimum internal dimensions of the garage must be 3m by 6m and the minimum width of the entrance door to the garage should be a 2.44m (8ft) -

Reason:- In order that the garage can be used and accessed by modern cars, several of which now have larger vehicle dimensions.

27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no development permitted by Classes A and B of Part 1 Schedule 2 of the Order shall be carried out without the prior written consent of the Local

Planning Authority.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

Informatives:

01 In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) (July 2018) Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

In this instance pre-application advice was given

02 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.

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

Winchester Local Plan Part 1 - Joint Core Strategy: MTRA1, CP2, CP11, CP13

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM15, DM16, DM17, DM18

04 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.

05 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.

06 Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised,

clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practice <http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-ofconsiderate-practice>

2. **ITEM 13: LION HILL HOUSE, ALTON ROAD, WEST MEON, GU32 1JF**
Item 13: Erection of one new dwelling at land to the rear of Lion Hill House .
Lion Hill House, Alton Road, West Meon, GU32 1JF
Case Number: SDNP/17/03750/FUL
(Extract from Report PDC1115 Item 13 and Update Sheet 16 August 2018 refers).

At its meeting held on 16 August 2018, the Planning Committee agreed that the above application be referred to the Planning (Viewing) Sub-Committee for determination in order to allow Members to assess the issues of parking and the impact on the listed buildings, conservation area and neighbouring properties.

At that meeting, the Head of Development Management drew the Committee's attention to the Update Sheet which set out comments from the Drainage Engineer and confirmed that the Environment Agency and Building Control had agreed the infiltration scheme for the development.

Public participation had taken place at the aforementioned meeting of the Committee where John Bennington spoke in objection to the application and Simon Goddard (Agent) spoke in support of the application.

Therefore, immediately prior to the public meeting, the Viewing Sub-Committee visited the application site where Members observed the site in order to gain a better appreciation of the proposal in the context of its impact on the listed buildings, conservation area and neighbouring properties and to assess the concerns expressed regarding parking.

The Planning Officer presented the application to re-familiarise Members with the proposal and stated that the application had been taken to the Planning Committee for determination with a recommendation to grant permission.

At the conclusion of debate, the Sub-Committee agreed to refuse permission for the following reasons: overdevelopment resulting in a cramped layout, causing visual harm in context of its setting in the West Meon conservation area. The precise wording delegated to the Head of Development Management, in consultation with the Chairman which will reference saved policies from the Winchester District Local Plan 2006, Winchester, policies in the Winchester District Local Plan Part 1 Joint Core Strategy 2013 and emerging policies of the South Downs National Park Local Plan.

RESOLVED:

That the application be refused for the reasons set out above.

The meeting commenced at 12.00 pm and concluded at 12.50 pm

Chairman