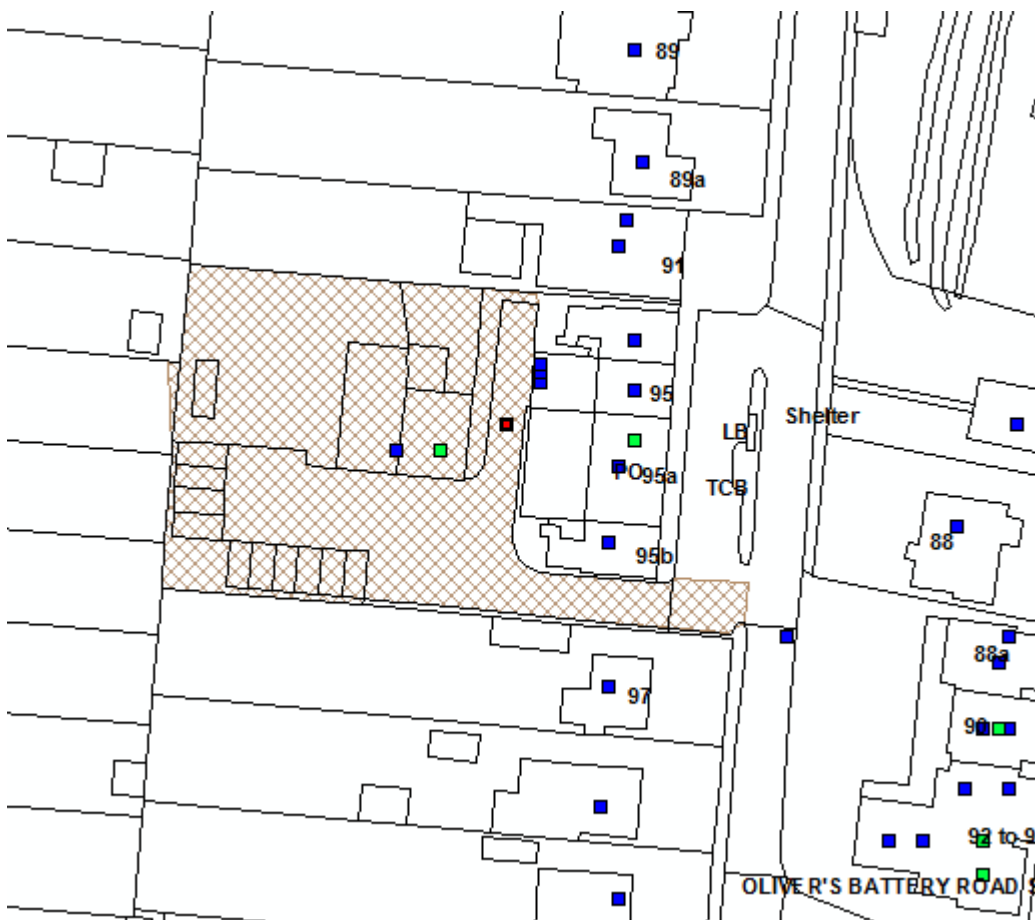


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/02852/FUL
Proposal Description: (AMENDED PLANS 30.06.2020) Redevelop the land at the rear of 93-95 Olivers Battery Road South to provide seven new dwellings.
Address: 93 - 95 Olivers Battery Road South, Olivers Battery, Hampshire
Parish, or Ward if within Winchester City: Olivers Battery
Applicants Name: Mr John Waterfield
Case Officer: Verity Murphy
Date Valid: 24 December 2019
Recommendation: Permit

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q30N7HBPIG000>

Pre Application Advice: No



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General Comments

The application is reported to Committee due to the number of objections received contrary to the Officer recommendation for approval.

Amended plans were received and re-consulted upon on 30th June 2020. The heights of the dwellings have been reduced in the revised plans, and their layout has been amended to reflect a linear pattern of development. The design of the dwellings has also been amended to show a more contemporary design approach.

Site Description

The application site is located to rear of a parade of existing shops on Oliver's Battery Road South. The site is approximately 0.175ha and is accessed from the southern side of this parade of shops. The site is surrounded by residential development; and the shops have residential flats over which are accessed from the rear of the building. There is a right of way on the western boundary to allow access to the rear gardens of some off the properties in Mount View Road.

There is a row of garages, some dilapidated, along the southern and western boundaries of the site. There are other buildings within the site including a glazed gable end greenhouse structure attached to a painted block, asymmetrical gabled end building with a corrugated sheet roof. The application site is a former garden centre which was used for open storage and household recycling. The site is now an empty and disused retail unit.

Proposal

The application seeks permission for the redevelopment of the land to the rear of 93-95 Oliver's Battery Road South to provide seven new dwellings.

Relevant Planning History

13/02017/FUL (Refused 07.01.2014) Erection of 6 no. 2 and 3 bedroom terraced dwellings

13/00898/FUL (Withdrawn 01.07.2013) Demolition of existing buildings and redevelopment comprising 4 no. semi-detached three bedroom dwellings and 1 no. two bedroom bungalow

Consultations

Service Lead Environmental Services: Drainage

The site is within Flood Zone 1 and is at very low risk of surface water flooding, with a minor area liable to shallow ponding that can be designed out. The geology is chalk.

Foul drainage must connect to the foul sewer. Surface water drainage should drain to soakaways and permeable hard standings, infiltration testing is required and a design to a 1 in 100 year storm plus an allowance for climate change. Any shared drainage will require a management plan.

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Service Lead Public Protection: Environmental Protection:

No adverse comments. A detailed Phase 2 Ground and Water Report should be conditioned to the consent in addition to a full contaminated land conditions and a Construction Environmental Management Plan.

Service Lead Built Environment: Strategic Planning

The principle of the proposed redevelopment of the site needs to be considered primarily under policies CP6 (LPP1) and DM7 (LPP2) which deal with facilities, services and local and town centre uses. It is considered that an up to date marketing report would provide useful evidence that the service or facility is no longer needed to serve the locality or that the site has no reasonable prospect of being used for an alternative facility or service which would benefit the local community. Other aspects of policy CP6 have been addressed and conclude that the residential use of the site is the only likely and viable use of the site.

Other consultees will advise on the acceptability of the proposed development in relation to other detailed matters.

Service Lead Built Environment: Archaeology

The application site lies to the west of a Scheduled Monument (National Heritage List Ref. 1008724), an Iron Age earthwork enclosure previously thought to have been used as a Civil War Battery. A Bronze Age burial mound (also a Scheduled Monument - National Heritage List Ref. 1013042) is located to the north of the application site. An Anglo-Saxon burial was found during excavations undertaken in the 1930's, cut into the NE corner of the Iron Age earthwork, whilst recent archaeological fieldwork has identified the presence of a probable Late Saxon execution cemetery to the north of the application site, focused on the earlier Bronze Age burial monument. These Saxon finds/ sites are seemingly spatially confined; however it is uncertain whether other Saxon activity occurs within the area. The application site may also contain prehistoric remains.

A former First World War military camp and a First World War Veterinary Camp were located in this area, remains of which have been identified within the vicinity of the application site. Concrete hut foundations are documented on the site of the Iron Age enclosure and remains of structures, possibly associated with stables or horse lines relating to the camp(s) have been recorded in a number of gardens in Mount View Road, to the west of the site. Further buried remains associated with these First World War camps may survive with the application site

However, it is possible that the existing structures and hard standing present within the site has already had a detrimental effect upon any buried archaeological remains present.

As such it is considered unlikely that there are any archaeological remains present that would be deemed worthy of conservation and thus form an overriding constraint to development. A programme of archaeological work to investigate, record, analyse and subsequently report on the archaeological evidence that would otherwise be destroyed by the proposed development should be secured through the attachment of suitable conditions to any planning consent that may be granted.

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The pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and / or construction works.

Service Lead Built Environment: Urban Design

The proposal has positively evolved to address the concerns raised throughout the planning process in terms of site layout, massing and architecture style. The scheme is arranged in two different blocks orientated parallel to the road to respect the alignment of the neighbouring houses and thereby better reflect the prevailing character of the surrounding area.

Furthermore, it is considered that the elevation treatment of Plot 7 creates a successful vista by proposing a distinctive external finishing material in such a prominent position.

Notwithstanding the recommendation above the following must be considered to ensure that the scheme fully integrates within its context and enhances the quality of the public realm.

Service Lead:
Estates

The viability report has been assessed and it is agreed that the location of the site does not lend itself to office or industrial development due to its location behind a parade of shops and within a residential area. There is a slim chance that if the site was marketed you may find an owner occupier coming forward interested in buying the site and building their own commercial premises on the site to operate their own business from but this is by no means certain.

Some form of residential use for the site is the most likely and most viable use. It would also be the most uncontentious use given the existing residential and the proximity of the shops who will no doubt be helped by more people living just behind

Hampshire County Council: Highway Authority

The existing access road is considered suitable for this development. While there is no pedestrian access from Oliver's Battery Road South, it is noted that adjustments have been made adjacent to Spaces 9-14 to create a pedestrian walkway at the entrance of the development.

The issues identified within Hampshire County Council Highways consultation response are matters of design / amenity rather than highways safety, and as such there is no objection to this application from a highways perspective subject to conditions

Southern Water

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer if planning permission is granted.

Natural England

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The waste water issue should be examined via an Appropriate Assessment, Natural England is aware that the council has adopted an interim strategy using Grampian conditions requiring the mitigation package to be agreed, provided to the Council and implemented prior to the occupation of the development. Provided the applicant confirms the mitigation approach prior to determination and that the development achieves nutrient neutrality through an agreed site specific nutrient budget and associated mitigation package, Natural England agrees with this approach.

Representations:

Oliver's Battery Parish Council object to the application for the following reasons:

- The site is not part of an agreed plan to improve local services and it is in an accessible location. The proposal is contrary to Policy CP6. The application is not supported by a marketing report to show that the site has been marketed for use as a local facility or service use or redevelopment for such a use or that the site has no reasonable prospect of being used for an alternative facility or service which would benefit the local community.
- It is considered that the proposal, by reason of its built form, design and layout represents an over development of the site out of character with the residential nature of the locality and with insufficient space for soft landscaping. The development offers nothing to the public realm and has a detrimental impact on the character and appearance of the area. The new dwellings will have a poor visual outlook
- The proposal is contrary to policy CP3 of the Local Plan Part 1 Joint Core Strategy in that it fails to make a contribution towards the provision of affordable housing.
- The proposal is contrary to policy CP7 of the Local Plan Part 1 Joint Core Strategy in that it fails to make a contribution towards the provision of public open space.
- The proposal is contrary to policy CP21 of the Local Plan Part 1 Joint Core Strategy in that it fails to make adequate provision for improvements to transport and the highway network in accordance with Hampshire County Council's Transport Contributions Policy 2007.
- No evidence has been submitted to demonstrate that the dwellings will attain Code Level 5 for energy and Code Level 4 for water. As such the proposal is contrary to Policy CP11 of the Local Plan Part 1 Joint Core Strategy.
- The proposal is contrary to Oliver's Battery Village Design Statement
- The proposal is contrary to Policy CP9 as it will result in the loss of employment land and premises.
- The proposal is contrary to Policy DM7
- The Parish Council is concerned that traffic generated by the proposed

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development will only aggravate congestion

8 letters received objecting to the application for the following reasons:

- Overlooking impact of development
- Loss of parking for shop workers and flat dwellers
- Increase in vehicle traffic
- Too many garages on site
- Overdevelopment of the site
- Poor design
- Development out of character with the residential nature of the area
- Increase congestion and parking issues
- Development not in accordance with Oliver's Battery Village Design Statement
- Loss of privacy
- Dwellings too high
- Development is visually intrusive
- Access to the site is dangerous
- No visitor parking on site
- Dangerous for pedestrians
- Overbearing impact of development on properties within Mount View Road
- Inadequate width of right of way
- Visibility issues with new access

0 letters of support received.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

Policy DS1 – Development Strategy and Principles
Policy CP13 – High Quality Design
Policy CP11 – Sustainable Low and Zero Carbon Built Development
Policy CP2 – Housing Provision and Mix
Policy CP6 – Local Services and Facilities
Policy CP8 – Economic Growth and Diversification
Policy CP9 – Retention of Employment Land and Premises

Winchester District Local Plan Part 2 – Development Management and Site Allocations

Policy DM7 – Town, District and Local centres
Policy DM15 – Local Distinctiveness
Policy DM16 – Site Design Criteria
Policy DM17 – Site Development Principles
Policy DM18 – Access and Parking

National Planning Policy Guidance/Statements:

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Section 4 of National Planning Policy Framework 2019
Planning Practice Guidance

Supplementary Planning Guidance

High Quality Places SPD 2015

National Design Guide 2019

Oliver's Battery Village Design Statement 2008

Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The application site is located within the settlement boundary of Winchester where the principle of new residential development is accepted provided it is in accordance with the relevant policies of the development plan.

Policy CP2 of WDLPP1 seeks to ensure that new residential development should meet a range of community housing needs and deliver a wide choice of homes. The majority of homes should be in the form of 2 and 3 bedroom homes. This development is for 7 dwellings comprised of 5 x 2 bedroom and 2 x 3 bedroom units. The proposal is considered to satisfy the requirements of this policy. There is no affordable housing proposed on site as it is under the threshold of 10 dwellings as set out in paragraph 63 of the NPPF.

The last use of the site was for the storage and sale of items from house clearances and this use replaced the previous long term use of the site as a garden centre. Both previous uses of the site fall within class A1 retail which is considered to be a facility and service and so the principle of the proposed development must be assessed against the requirements of policies CP6 and DM7. Policy CP6 of WDLPP1 seeks to retain and improve facilities and services across the District unless it can be demonstrated that the site is no longer required because the service or facility has been satisfactorily relocated or no longer needed to serve the locality and the site has no reasonable prospect of being used for an alternative service or facility.

The former garden centre on the site closed around 2007 and was vacant for some years until it was occupied for open storage and the selling of household goods and recycling. Due to the poor business and lack of passing trade generated by the location, it could not support opening more than one or two days a week and is now shut and so the site has contributed little as a community facility for an extended time. Given the viability assessment it is unfortunately unlikely that there is any prospect of this type of use coming forward due to the small size of the site and the lack of any prominence tucked behind the retail units to the front. Therefore it is extremely unlikely that the site would be developed for any service or other commercial use. The viability report identifies that some form of residential use for the site is the most likely use to come forward and most viable use.

The site is located in close proximity to a parade of shops on either side of Oliver's Battery Road South which offer a range of facilities and retail options and it is not
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considered that the application site could offer a range of services/facilities over and beyond that already provided within the local vicinity. As the site is disused and is located to the rear of the parade of shops and offers very little to attract footfall to the area, it is not considered that the proposal would have a detrimental impact on the overall vitality and viability of the settlement. The site is also not part of an agreed plan to improve local services and it is in an accessible location.

Policy DM7 states that changes of use that result in a net loss of town centre uses (Use Classes A1 A5, B1, C1, D1, D2) at ground floor level will not be permitted within the boundaries of identified centres. The proposed development is contrary to the aims of this policy being within the defined local centre and proposing the loss of the building which was used for town centre uses on the site and its redevelopment for residential use within an area identified as a local centre.

The viability report sets out that the use of the site for residential purposes would be better for the existing residential neighbours and would not be detrimental to the vitality or viability of the existing local centre at Oliver's Battery. The existing buildings on site are in poor condition and are not considered to be suitable for continued commercial use. It is considered that the site has poor visibility from the road which makes it unattractive for continued commercial uses. A comprehensive development of the site including retail units fronting the road is unlikely and so a residential use on this un-used site is considered to be acceptable on this occasion.

The application site is identified within Oliver's Battery Village Design Statement as a significant area which is currently underutilised. The village centre is characterised by mixed residential and commercial uses and as there are commercial uses in close proximity to the application site, the use of the land for residential purposes is not considered to detract from this overall mixed character of the centre. The VDS also identifies that the redevelopment of the application site to provide affordable or sheltered housing should be permitted to meet and identified housing need. Although the proposed dwellings would not be affordable units, they still offer new housing in the form of 2 and 3 bedroom houses for which there is a district wide housing demand.

Objections have been received in relation to the loss of employment premises on the site which would be contrary to Policy CP9 of Local Plan Part 1 and this has been assessed in detail concluding in respect of the material considerations and merits of the existing and former uses of the site application. There are number of strategic employment sites across the District which fulfil this demand, and in light of the current pandemic it is even more unlikely that there will be a demand for employment on this site. Notwithstanding this, Policy CP9 relates to the retention of the B1, B2 and B8 premises, and the previous uses of the site fell within A1 retail. Therefore, the proposal is not considered to conflict the stipulations of this Policy.

The Government has announced (March 2015) updates to its policy on housing standards and zero carbon homes. These affect the Council's implementation of Policy CP11 of the adopted Local Plan Part 1. While policy CP11 remains part of the Development Plan and the Council still aspires to achieve its standards for residential development (Code for Sustainable Homes Level 5 for energy and Level 4 for water), Government advice now sets a maximum standard of 110litres/day for water efficiency and the equivalent of Code Level 4 for energy. Therefore, for applications determined after 26 March 2015, Local Plan policy CP11 will be applied in compliance with the

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maximum standards set out in Government advice. Conditions and 10 and 13 are proposed in order to secure these sustainability levels.

The development does not fall under Schedule I or Schedule II of the EIA Regulations, therefore an Environmental Impact Assessment is not required.

The assessment of the application in relation to the Development Plan policies is set out below.

Design/layout

CP13 of the LPP1 states that new development is expected to meet the highest standards of design, taking into consideration the context of the site and the surrounding area, makes a positive contribution to the local environment, creating an individual place with a distinct character, well connected to its surroundings and maximise the potential to improve local biodiversity. In this instance the application is considered to accord with the criterion within this policy, further details in regards to this are set out below.

The original plans showed a courtyard/mews style layout of the dwellings, traditional in design with three storey dwellings on the site. The layout of the dwellings was not considered to accord with the existing grain of the development, and the heights of the dwellings were inconsistent with the two storey properties which characterise the area. The original design of the dwellings was considered to be poor and resulted in a bulky and incongruous form of development with blank and uninteresting elevations.

The revised plans have re-orientated the dwellings in a linear form which is considered to reflect the prevailing pattern of residential development along Oliver's Battery South. The heights of the dwellings have been reduced to two storey and one and half storey units which is considered to reflect the heights of the surrounding properties and will reduce the visual impact of the dwellings behind the existing parade of shops immediately east of the site.

The dwellings are provided in two blocks. The block of dwellings located within the southern section of the site is terraced and constructed with a gable ended roof on each side. The first floor accommodation is located within the roof space which further helps to reduce the overall height of the dwellings within the site. Plot 7 will be visible through the access road from Oliver's Battery Road South. The northern elevation of this plot contains a good level detailing which is considered to punctuate views through the site from the public realm. The elevations of the dwellings are considered to provide an attractive frontage which will address the street scene well.

There are two x 2 bedroom apartments located along the northern boundary of the site. This block is one and half storey in height which is designed to limit the impact of the development from the neighbouring property to the north. This also helps to break up the built form of the development and distinguishes this building as an apartment block which provides a more interesting and cohesive overall design of the scheme.

The material palette to be used is high quality and results in the dwellings having a contemporary appearance. A materials condition will be attached to the consent to ensure this. The overall appearance of the dwellings is considered to result in an

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attractive and high quality development of seven dwellings and will offer a new and appropriate style of housing in an area which is predominantly characterised by 1960's style housing.

There have been numerous iterations to the layout and size of the dwellings, which has resulted in their design responding carefully and uniquely to their specific context and site constraints and care has been taken to reflect the character, scale and form of surrounding development and limit adverse impacts on residential amenity. The design and layout of the scheme is therefore considered to be acceptable and in accordance with Policy CP13 of Local Plan Part 1, DM15, DM16 of Local Plan Part 2 and The High Quality Places SPD.

Impact on neighbouring amenity

Objections have been received in relation to the overlooking impact of the development on neighbouring amenity. The properties to the rear of the site are over 30metres away from the new dwellings and this is considered to be an acceptable distance to limit any significantly harmful overlooking or overbearing impact. There is only one window proposed at a first level on the rear elevations of plots 5 -7 and two on the rear of the plots 3 and 4; the level of fenestration is not considered to be excessive. There are two windows on the rear elevation of plots 1 and 2 which are not at the full height of a two storey and are not considered to result in significant overlooking to the rear.

There are windows proposed in the northern elevation of the plots and 1. The window to bedroom 1 of plot 2 is a secondary window, there is one serving a bathroom which will be obscured glazed and two serving a living room area. Whilst there will be an overlooking impact to rear garden of the neighbouring property to the north of the site, this is not considered to be significant as there is a not a direct view from these windows to this neighbour which is approximately 15 metres away from the proposed building. Views will be directed to the rear section of this neighbouring amenity space and there is existing intervening vegetation along the boundary which affords screening to this neighbour. Further details for the screening of this northern boundary will be conditioned within the landscaping plan – condition 4.

There is an internal courtyard in plot 2 which is contained within the building. This will be open to elements on the northern elevation, however louvres will be used to prevent any direct views to the neighbouring amenity space.

The window and balcony area on the eastern elevation which has the potential for direct views to the rear of the neighbouring property to the north will feature louvres which will avoid harmful views. The second window on this elevation serves a stair-well which is not considered to result in significant overlooking.

The southern elevation of plots 5 -7 is blank and this is not considered to result in significant overlooking to the neighbouring property to the south of the site. There are residential units above the shops to the east of the site which is approximately 20 metres away which mitigates any harmful overlooking impact.

The proposed dwellings are not located in close proximity to any neighbouring properties and it is not considered that the proposal would result in any harmful overbearing or overshadowing impact on neighbouring amenity. In this respect, the proposal accords

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with Policy DM17 of Local Plan Part 2.

Landscape/Trees

The existing vegetation along the boundaries of the site is to be retained and there is no loss of any trees or hedgerows in this proposal. A good level of amenity space has been allocated to each dwelling. Planting is proposed to the front of the dwellings which helps to soften the appearance of the development when viewing from Oliver's Battery Road South. Planting is also proposed between the car parking spaces within the eastern section of the site. A right of way will be constructed through the site which links the properties to the rear of the site with the main road, this will also be lined with vegetation to break up the hard standing on the site. A landscaping condition will be attached to the consent.

Highways/Parking

The site will be accessed in the same way as it is currently, from the south eastern corner from Oliver's Battery Road South. Objections have been received in relation to the highways safety of the development, however Hampshire Highways Authority consider the access suitable for this development and the use of the site for 7 residential units is not considered to result in a significant level of trip generation over and beyond the existing situation.

The proposed development will provide 14 car parking spaces which is in accordance with the Residential Car Parking Standards SPD. An objection has been received in relation to the lack of visitor parking, however the application site is considered to be in area of high sustainability with public transport links in very close proximity.

Bin storage is included within the plans for each dwelling, and a refuse vehicle can access and leave the site.

Hampshire Highway's Authority have commented that the proposed garages are below the minimum recommended dimensions for modern garages and a number of public comments have also expressed concern in relation to this. However these garages do not serve the proposed dwellings. As part of the agreement to purchase and develop the land, Vivid Homes Ltd are obliged to provide replacement garage accommodation which would otherwise be lost in the new development. The proposal therefore incorporates 8 new garages which can be accessed from the rear service road without encroaching on the housing site.

Nitrates

A separate appropriate assessment in relation to the nitrate issue has been completed and is attached to this case. If Committee is minded to approve the application the applicant has agreed that a Grampian Condition can be attached to the consent to ensure that a mitigation strategy is submitted to and approved in writing by the Council prior to the occupation of the development.

Other Matters

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public
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bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty as statutory planning authority for the council.

Conclusion

The proposal accords with The Development Plan and the following policies: DS1, CP13, CP6, CP9, CP20, CP2 of LPP1, DM15, DM16, DM17, DM18 of LPP2 and The High Quality Places SPD

Recommendation

Permit 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 development hereby approved shall be constructed in accordance with the following plans:

Proposed Site Plan Drawing 7162-D01

Proposed Site Plan Drawing 7162- D02

Plots 1-4 Floor Plans and Elevations Drawing 7162- D03

Plots 1-4 Floor Plans and Elevations Drawing 7162-D04

Plots 5-7 Floor Plans and Elevations Drawing 7162-D05

Plots 5-7 Floor Plans and Elevations Drawing 7162- D06

Site Sections Drawing 7162-D07

Garage Plans and Elevations Drawing 7162-D08

Reason: In the interests of proper planning and for the avoidance of doubt and to ensure the development is carried out in accordance with the relevant policies of The Development Plan.

PRE-COMMENCEMENT CONDITIONS

3. No development above damp proof course shall take place until details and samples of the materials to be used in the construction of the external surfaces of the new 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 a satisfactory visual relationship between the new development, the existing and the surrounding area in accordance with Policy DM15, DM16 of Winchester District Local Plan Part 2 (2017) and The High Quality Places SPD (2015).

4. No development shall take place until details of both hard and soft landscape works

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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;

- planting plans and schedules of plants and replacement trees, noting species, planting sizes, planting numbers/densities where appropriate.
- details of screening along the northern boundary
- details of areas of hard surfacing.
- details of any means of enclosure (fencing/walling) and all boundary treatments.

All hard and soft landscape works shall be carried out in accordance with the approved details.

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

Reason: In the interests of visual amenity of the area and to ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs

5. 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 including any earthworks to be undertaken 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 a satisfactory relationship between the landscape and the new development.

6. No development or any works of site preparation shall take place until the applicant or their agents or successors in title have implemented of a programme of archaeological mitigation works, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No 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:

- o The programme and methodology of site investigation and recording
- o Provision for post investigation assessment, reporting and dissemination
- o Provision to be made for deposition of the analysis and records of the site investigation (archive)
- o 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 accordance with Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

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7. Prior to work commencing on the site, including demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, footpaths and highways.
- Details of parking and traffic management measures.
- Avoidance of light spill and glare from any floodlighting and security lighting installed
- Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway
- Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development
- Pest Control

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

8. No development shall take place unless otherwise agreed in writing until 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 BS10175:2011 Investigation of potentially contaminated sites - code of practice; CLR 11 - Model procedures for the management of land contaminations; 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 future occupants

9. 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

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development commences.

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

10. 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 the dwelling shall meet Code 4 or equivalent 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.

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

PRIOR TO OCCUPATION CONDITIONS

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 the dwelling shall meet the Code 4 or equivalent 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.

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. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person nominated in the approved remedial strategy shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the approved remedial strategy 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.

13. Before the occupation of the development, areas for access, car parking and turning shall have been constructed and laid out within the site in accordance with the approved plans, and shall be maintained thereafter.

Reason: to ensure adequate on-site car parking provision for the approved development.

14. The development hereby permitted shall NOT BE OCCUPIED until:

a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority

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- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

OTHER CONDITIONS

15. 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.

16. Following completion of archaeological fieldwork, within 9 months (unless otherwise agreed in writing) a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local 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.
Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

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 Part 1 (2013): DS1, CP2, CP11, CP13, CP6, CP8

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Winchester District Local Plan Part 2 (2017): DM1, DM15, DM16, DM17, DM18, DM7
Winchester District High Quality Places Supplementary Planning Document
Oliver's Battery Village Design Statement

3. In accordance with paragraph 38 of the 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.

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. 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 on this please refer the Construction Code of Practice <http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7. A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>