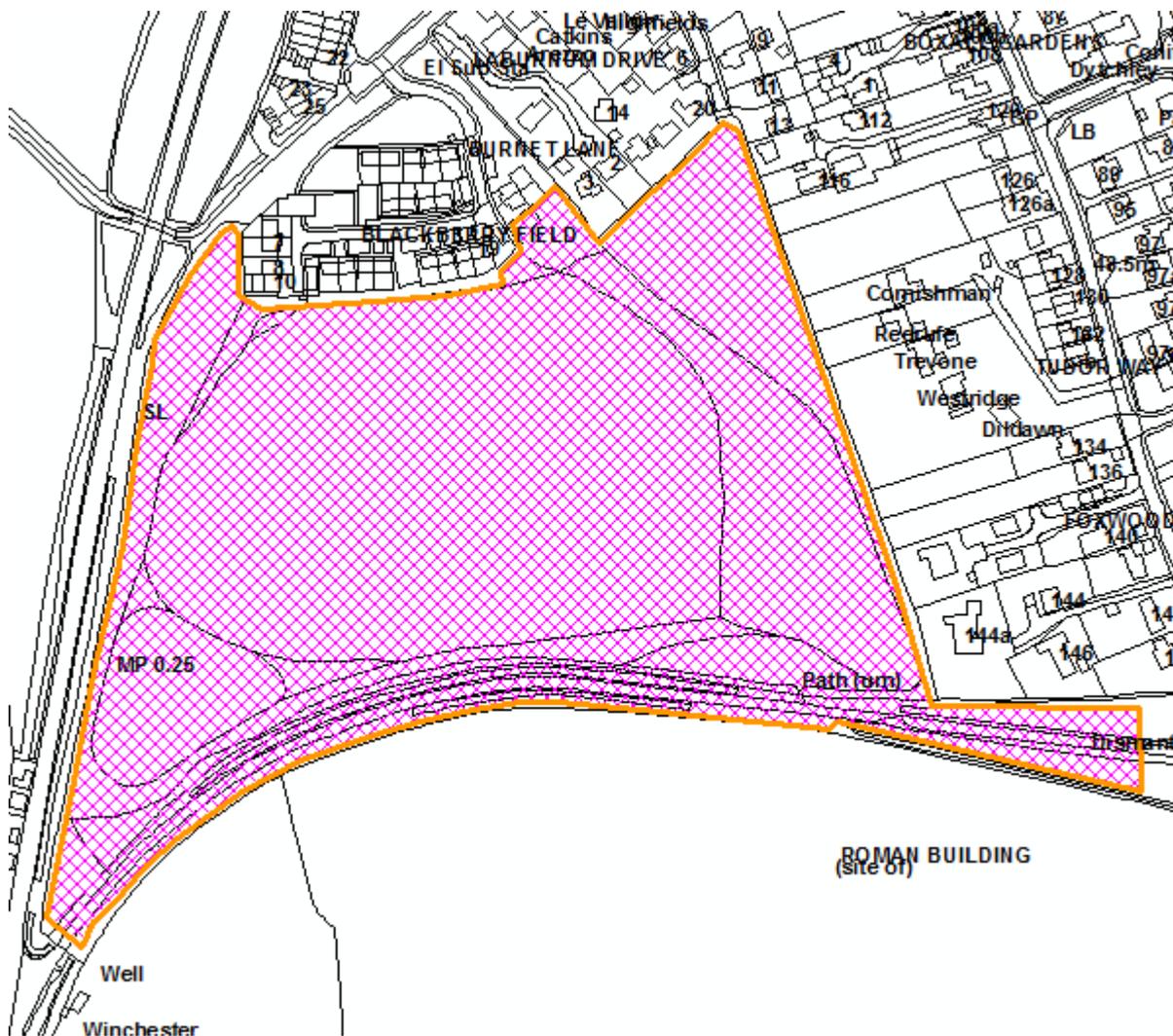


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/00048/FUL
Proposal Description: (AMENDED PLANS 24.04.2019) A development of 35 units, including infrastructure and the open space provision associated with the development area. Provision of remaining open space, (change of use from agricultural, to publicly accessible recreation land). Diversion of Public Right of Way (ROW/3189777), in addition to a minor diversion of one of the three claimed Rights of Way.
Address: Land Off Burnet Lane Kings Worthy Hampshire
Parish, or Ward if within Winchester City: Kings Worthy
Applicants Name: Mr Daniel O'Shea
Case Officer: Mrs Megan Osborn
Date Valid: 8 January 2019
Recommendation:



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General Comments

Application is reported to Committee as the number of objections, received contrary to the officers recommendation.

An area roughly similar to the application site has consent under reference 15/00969/OUT for a 100% affordable housing exception scheme. This scheme has not been implemented to date. This consent established the maximum acceptable developable area of the site and this should be adhered to in any future consents. Condition 15 of the planning permission makes specific reference to a plan which indicated the maximum developable area and which any reserved matters should be based on (plan number 977-P3/P29A Rev B illustrative developable area).

This proposal is for the development of 35 houses and the previous consented scheme was for 25 houses and was an outline application in broadly the same developable area.

Site Description

The site is located on the western side of Kings Worthy 3 miles north of Winchester.

The application site is known locally as 'Top Field' and is a former agricultural parcel of land.

The site has residential development to the north and east of the site, and a mainline railway to the west and on the southern boundary is a disused railway.

The site is not mainly open field with some vegetation along the boundaries and a public right of way running approx. the perimeter of the site from the development on Burnett Lane. There are also some un-official rights of way across the site used for dog walking.

Proposal

The proposal is for 35 dwellings with associated landscaping and parking. The area of development is in the north eastern corner of the site linking with the existing development to the north.

Relevant Planning History

Top Field applications –

14/01861/OUT - Residential development of up to 50 no. dwellings to top field and 7 no. dwellings on 'Dildawn'; upgrading the existing access off Hookpit Farm Lane with associated roads, parking areas and landscaping with an optional access off Springvale Road (Amended description) - REFUSED 26 March 2015

The scheme was refused on 9 grounds relating to -

- policy for development within the countryside,
- prematurity to the delivery of the local plan,
- development in a sensitive landscaping area,
- not providing appropriate levels of affordable housing,

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- resulting in development of land designated as open areas under Policy RT5,
- the lack of adequate ecology assessments,
- the provision of associated facilities outside the red-line site area and no assessment of archaeological impacts that would be caused,
- the lack of provision for long-term funding for the off-site open space areas,
- and the loss of a feature tree on the Tudor Way site.

15/00969/OUT - (Additional illustrative layout plan received 977-P3/P29 Rev A) Proposed residential development with 25 dwellings located on top field and 7 self build dwellings located on Dildawn (SHLAA site 329) including upgrading the existing access off Hookpit farm lane with associated roads, parking areas and landscaping PERMITTED 6th February 2018.

Blackberry field applications –

The existing 25 affordable exceptions houses were granted permission under reference 05/01662/OUT the time limit for which was extended under reference 11/01383/OUT. This scheme is now complete and occupied.

12/01912/FUL - Residential development for 25 no. affordable dwellings including associated roads, parking area and landscaping . PER 8th February 2013.

Consultations

Engineers: Drainage:

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk and head deposits. Therefore there are no objections raised.

Engineers: Highways:

No objections

Archaeology

No objections, subject to conditions 10 and 14

Head of Strategic Planning:

No objections

Head of Landscape:

No objections

Southern Water:

No objections, subject to conditions 6.

SWM

Proposal acceptable subject to conditions 7 and 8.

Ecology

No objections, subject to conditions 9 and 20.

Economic development

A section 106 has been completed to require an Employment Skills Plan

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Contamination

No objections subject to conditions 11 and 19.

Representations:

Kings Worthy Parish Council

- Support this application

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

- The development would result in flooding.
- The drains are very close to the boundary with the existing houses.
- This would result in built development which would result in more pollution, traffic and flooding.
- The paths from Ilex Close are not required.
- The development would be highly visible and harmful.
- This would increase the traffic at Tesco corner.
- The school is already over subscribed.
- The building work would effect the wildlife in the area.
- There are insufficient facilities to support the development.

2 letters of support received.

- This is an acceptable site and more development could go here.
- This is for much needed dwellings.
- The layout is well thought out and retains much needed open space.
- Here you should include reason why support proposal.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles

MTRA1 – Development Strategy for Market Towns and Rural Area

MTRA2 – Market Towns and Larger Villages

MTRA4 – Development in the Countryside

CP1 – Housing Provision

CP2 – Housing Mix

CP4 – Exception Sites

CP7 – Open Space, Sport & Recreation

CP10 – Transport

CP11 – Sustainable Low and Zero Carbon Built Development

CP13 – High Quality Design

CP14 – Effective Uses of Land

CP15 – Green Infrastructure

CP16 – Biodiversity

CP20 – Heritage and Landscape Character

CP21 – Infrastructure and Community Benefit

Winchester District Local Plan Part 2

DM1 – Location of New Development

DM2 – Dwelling Sizes

DM6 – Open Space Provision

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DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM23 – Rural Character
DM26 – Archaeology

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Planning Considerations

Principle of development

The proposal is for the development of 35 dwellings on part of 'Top Field', which is outside the defined settlement boundary of Kings Worthy (DM1). The site is therefore subject to the provisions of policy MTRA4 (LPP1) under which housing would not normally be permitted.

Policy CP4 (LPP1) allows for affordable housing to be permitted exceptionally on sites in the countryside to meet specific local needs. Policy CP4 requires the site to be;

- suitable in terms of its location, size and tenure to meet an identified local housing need that cannot be met within the policies applying to the settlement to which that need relates;
- of a design and character appropriate to its location and avoids harm to the character of the area or to other planning objectives, taking account of the policy objective to maximise affordable housing provision;
- secured to meet long term affordable housing needs, and will remain available in perpetuity.

The proposal is for 35 affordable homes. The latest National Planning Policy Framework defines affordable housing and all 35 - rented; shared ownership and discounted market sale are defined as affordable, as the shared ownership and Discounted Market Sale homes provide a route to home ownership at a discounted price.

In terms of the viability argument for providing less than 100% affordable rented all of the proposed houses are classed as affordable and there is no proposal to introduce market housing. This can be supported under policy CP4 if the viability assessment submitted with the application confirms that the proposed split of affordable rent and other tenures is justified.

Housing need information is included in the planning statement has been assessed by the council's New Homes Delivery Team to ensure that the proposal does address local housing need. For those registering for rented accommodation there are a Total of 86 Households, this need consisting of 52, 1 bedroom homes; 26 2 bedroom homes; and 8, 3 bedroom homes. There are a further 57 households registered with the central government agency (Help to Buy South) for other types (e.g. shared ownership) of affordable housing. These households would like to meet their housing need in Kings Worthy and there are 16 households wanting 1 bedroom accommodation; 27 wanting 2

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bedroom; and 14 a 3 bedroom home. The applicant commits to 25 homes for rent out of the need on the register from 86 households. These 25 homes consist of 4 x 1 bedroom flats to rent; 4 x 2 bedroom flats to rent; 11 x 2 bedroom houses to rent, and 6 x 3 bed houses to rent potentially meeting some of the need for rented accommodation from those with a local connection to Kings Worthy. Also 10 homes will provide a route to home ownership with 6 x 2 bedroom houses for shared ownership; 2 x 3 bedroom houses for shared ownership and 2 x 4 bed houses for Discounted Market Sale (DMS). The Council is keen to understand the emerging Discount Sale Market and these 2 homes provide for larger homes for households that would otherwise not be able to buy on the Open Market.

There are no households with a Local Connection to Kings Worthy that need a 4 bed rented property and as the cost of shared ownership homes is calculated using open market values then even purchasing the lowest share possible (25%) means that 4 bed homes are likely to be unaffordable.

As a planning exception site all 35 homes are to be affordable with over 70% being rented homes. All of the homes will contribute towards the housing need in the Kings Worthy Parish and this will be secured through a `cascade` provision in the legal agreement.

Any proposal for less than 100% affordable rented housing would also need to show community support. The application is supported by evidence of a public consultation exercise and evidence that the parish council and majority of the Top Field Action Group support the application subject to the remainder of Top Field being made publically available as open space (this is included in the legal agreement).

Design/layout

The location of the affordable homes is judged to be acceptable as the site has already been established as suitable for affordable housing through the extant planning permission and the exercise of assessing other suitable sites was done at that time with the application site being the preferred option.

The proposed amendment drawings address a list of concerns raised to the previous scheme and seem to be much more consistent in urban design terms. Improvements were made to the site layout in order to reduce the amount of carriageway proposed to the west, by proposing dwellings facing directly the open space. As stated in the High Quality Places SPD, "where development adjoins a park, buildings should maximise that relationship by effectively addressing the space in question, for example by buildings fronting onto the space."

Further design development was made to the site layout to provide end vistas with a landscape treatment instead of ending with car parking spaces.

It was suggested that large areas of car parking spaces, particularly at the front of plots, should be softened with appropriated landscaping. Changes were made on an amended scheme by splitting car parking spaces between trees in front of Plots 16-22 and 7-13.

Improvements were made on the elevation treatment of buildings located along exposed street corners such as Plot 2 and 35, in order to provide a better articulation

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with windows overlooking both sides.

Lastly, improvements were made to the pedestrian links along the development, to increase footfall and encourage pedestrian use by designing for natural surveillance.

The proposed design of the dwelling is acceptable in the context of Kings Worthy and the materials proposed are acceptable and will form a condition to this planning application. (Condition XX)

Impact on character of area and neighbouring property

The principle of development at this location has already been accepted and the character and scale of the dwelling are considered acceptable in relation to the character of the surrounding area.

The dwellings have been arranged so that they would not result in any material planning harm towards surrounding neighbouring properties. Most of the dwellings are a significant distance away from neighbouring properties and therefore would avoid overlooking and overbearing. The nearest dwellings are plots 1 and 2, plot 1 being nearest to the neighbouring dwelling in Blackberry Field, this is proposing no windows on this side elevation and is a sufficient distance away that it would avoid overshadowing or overbearing. Condition 23 has been recommended to restrict any windows on elevations that would result in overlooking.

For the amended proposals and the proposed increase in dwelling numbers (+10) the application is accompanied by a Landscape and Visual Impact Assessment (Deacon Design July 2018) which builds upon the work done by Sue Sutherland Landscape Architects (LVIA July 2014) for the previous 25 unit scheme.

The proposals respond to the landscape and visual sensitivity identified in these documents by locating the proposed dwellings at lower land levels than the previously consented scheme which it is intended will have the effect of reducing visual impact from the various near and far viewpoints identified.

The proposed development would sit within the development area deemed least sensitive in terms of landscape and visual impact whereas the previous 25 unit scheme extended beyond the 'yellow line' boundary at its highest point (see p 27 DAS).

The site continues to be well contained by strong boundary hedgerows and trees along the southern and western boundaries; however long distance views are available to the east and north east towards Kingsworthy village and the downland beyond. In some cases the continued growth of boundary vegetation has provided greater screening of views. To respond to visual impact the most recent LVIA proposes structure planting and tree planting along the western southern and eastern extents of the development, pockets of incidental open space and tree planting within the development to break up the overall mass of the development and further tree planting along the edges of the field.

The proposals will still be visible, particularly from photo-viewpoints 7, 8 and 9 (within the village of Kingsworthy at Tovey Place and Broadview Recreation ground on the line of the disused railway) however it is considered that the changes proposed for this application will have little change upon the perceived level of visual impact initially identified for the consented 25 unit scheme.

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The proposal provides details to reinforce boundaries with native hedgerows species and trees that will help maintain visual amenity and enhance the local landscape character. This will include provision for habitat protection and ecology enhancements using native and suitable non-native planting that will support biodiversity across the site.

Small street trees and areas of landscaping have been proposed with the developed area especially around the parking areas to break it up.

Highways/Parking

Parking numbers are inline with Winchester City Council's parking standards.

The application is accompanied with a transport assessment, which is acceptable from a highway point of view. It sets out the highway implications and demonstrates that there is no material impact, particularly to the Hookpit Farm Lane / Springvale Road junction.

The application is therefore acceptable from a highway point of view

Drainage

Foul water drainage:

The site will use a gravity system which connects directly into the existing Southern Water system via the manhole in Ilex Close (details of which have to be submitted under condition 6).

Surface water drainage:

A sustainable drainage strategy (SUDs) has been developed for the proposed scheme. This scheme relies on gravity, discharging run off into a 'detention basin' which have capacity to contain surface water runoff from a 1 in 100 year storm, including an allowance for climate change (details of this will need to be submitted to the LPA before development commences on the site, condition 7 and 8).

The attenuation pond and swales would be managed for both wildlife and as landscape features to enhance and promote area a range of uses.

Ecology

Dormice: The site has a dormouse population, which is a rare and protected species. The site offers opportunity for planting a hazel and hawthorn coppice, managed to create a suitable habitat to support the dormice to thrive. This will be done by ecology mitigation areas agreed by the applicant and Winchester City Council ecologists (condition 2).

Reptiles : Another protected species on the site are reptiles. It is proposed to create sequence of basking areas for them, which will comprise of area of long grass and log piles set within woodland glades on the eastern boundary of the site. Detail of these can be found in the ecology report and is conditioned under condition number 2.

Natural England

Natural England notes that we, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance

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with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Winchester City Council as applicant conclude that the proposal will not result in adverse effects on the River Itchen SAC. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects of water pollution in the River Itchen SAC, Natural England agrees with this assessment.

Footpath diversion

The public right of way ref. ROW/3189777 was confirmed as a Definitive Map Modification Order on 25th October 2018, following an inquiry on the 22nd August 2018. The order was based on the use of the footpath between the periods of 1972 to 1992. Over time the path routes, as defined, have become inaccessible due to shrub and vegetation overgrowth. As such defined areas are now through areas that are important ecological habitat. Therefore in order to clear them in line with the order this would result in an unlawful destruction to the protected habitat.

The actual trodden paths are different to the official Public Right of Way, therefore an application has been submitted under the Town and Country Planning Act to divert footpath ROW/3189777 (19/00912/PTH). And a further application has been submitted for the trodden footpath on the site (19/00913/PTH).

In addition to the granted Public Right of Way an application has been submitted to HCC Rights of Way for a further 3 claimed rights of way from Ilex Close in the north eastern corner of the site. A further 3 applications have been submitted to the WCC legal department to divert these footpaths to avoid ecological mitigation (19/00909/PTH, 19/00910/PTH, 19/00911/PTH).

These are still being assessed by our legal department.

Archaeology

The application site lies to the north of a Scheduled Ancient Monument (National Heritage List No. 1013269 - Iron Age field system, banjo enclosure and RB villa 500m E of Woodham Farm). Archaeological remains associated with the monument are known to extend to the south of the Scheduled Area and may also (as suggested by aerial photographic evidence) extend into the area of the application site.

To the north of the application site previous archaeological investigations undertaken in relation to previous development have identified a curvilinear Late Iron Age enclosure. The enclosure ditch was found to have been re-cut on several occasions and extended southwards towards the proposed development area. A number of other features were also recorded, including two distinct pit groups and a small urned cremation cemetery also of Late Iron Age date.

It is anticipated that further archaeological remains relating to this enclosure and other features (and potentially the Scheduled Monument known to the south of the disused railway) will occur within the proposed development area.

Planning consent has previously been granted at the proposal site (15/00969/OUT) and as such there is no objection in principle to the proposal on archaeological grounds.

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However it is considered likely that buried archaeological remains relating to later prehistoric occupation and activity (and potentially of other periods) will be present application site. Such remains may be disturbed by groundworks associated with the proposal (both from new building, hard landscaping, drainage (foul and surface water), services and landscaping works / ecological mitigation measures proposed across the wider site).

Whilst this does not present an overriding concern, 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.

The pre-commencement conditions are 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 (condition 10).

It is important that archaeological mitigation measures are considered and fully implemented ahead of any site preparation, infrastructure or other enabling works, or, integrated into other mitigation measures (such as for ecology etc).

Other Matters S106

The previous exception site schemes that have been approved have been subject of S106 obligations that require open space provision, ecological compensation and public footpath provision.

The impact of this new scheme on the quantum and position of the agreed areas of open space, ecological mitigation land and line of the public footpaths will need careful consideration to ensure that any variations do not result in diminished areas or less desirable footpath alignments. A new S106 agreement will be needed to cover these matters.

A S106 agreement will be needed to secure the affordable houses in perpetuity, this has been drafted and agreed by all parties.

Conclusion

The site lies outside the defined settlement boundary of Kings Worthy and is being proposed as a rural exception scheme to meet local needs under policy CP4.

It is considered that the proposal meets the requirements of Policy CP4 to meet local needs based upon the affordable housing requirement within Kings Worthy.

The development is acceptable in all other matters.

Recommendation

Permit subject to the following condition(s):

Legal Agreement (S106) Head of Terms:

**Open Space provision,
Ecology,
Footpaths,
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**Employment skills plan
Affordable housing provision.**

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

Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and particulars: -

Location Plan DREW170706-LP.01 Revision B
Site Layout DREW170706-SL.01 Rev G
Site Layout DREW170706-SL.02 Rev G
Site Layout DREW170706-CSL.01 Rev G
Supporting Layout DREW170706-BML.01 Rev D
Supporting Layout DREW170706-DML.01 Rev D
Supporting Layout DREW170706-RSL.01 Rev D
Street Elevations DREW170706-SE.01 Rev D
Street Elevations DREW170706-CSE.01 Revision B
Plot Drawing. Elevation DREW170706-P.1-2.e Revision C
Plot Drawing. Plans DREW170706-P.1-2.p Revision C
Plot Drawing. Elevation DREW170706-P.3-4.e Revision B
Plot Drawing. Plans DREW170706-P.3-4.p Revision B
Plot Drawing. Elevation DREW170706-P.5-6.e Revision B
Plot Drawing. Plans DREW170706-P.5-6.p Revision B
Plot Drawing. Elevation DREW170706-P.7-10.e1 Revision B
Plot Drawing. Elevation DREW170706-P.7-10.e2 Revision B
Plot Drawing. Plans DREW170706-P.7-10.p Revision A
Plot Drawing. Elevation DREW170706-P.11-13.e Revision A
Plot Drawing. Plans DREW170706-P.11-13.p Revision A
Plot Drawing. Elevation DREW170706-P.14-15.e Revision A
Plot Drawing. Plans DREW170706-P.14-15.p Revision A
Plot Drawing. Elevation DREW170706-P.16-19.e1 Revision B
Plot Drawing. Elevation DREW170706-P.16-19.e2 Revision B
Plot Drawing. Plans DREW170706-P.16-19.p Revision B
Plot Drawing. Elevation DREW170706-P.20-22.e Revision B
Plot Drawing. Plans DREW170706-P.20-22.p Revision B
Plot Drawing. Elevation DREW170706-P.23-25.e Revision A
Plot Drawing. Plans DREW170706-P.23-25.p Revision A
Plot Drawing. Elevation DREW170706-P.26-33.e1 Revision C
Plot Drawing. Elevation DREW170706-P.26-33.e2 Revision C
Plot Drawing. Plans DREW170706-P.26-33.p1 Revision C
Plot Drawing. Plans DREW170706-P.26-33.p2 Revision C
Plot Drawing. Elevation DREW170706-P.34-35.e Revision C
Plot Drawing. Plans DREW170706-P.34-35.p Revision C

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Ancillary. Plans/Elev DREW170706-SHD.01.pe Revision A
Ancillary. Plans/Elev DREW170706-SHD.02.pe Revision A

Landscape plans

Illustrative Masterplan DD207L01 Revision E
Outline Landscape Strategy Plan DD207L02 Revision E
Landscape Management Plan DD207R01_04
Viewpoint Location Plan DD207PL.1
Landscape and Visual Impact Appraisal DD207R01 Revision A
Appendix 1 – Illustrative Masterplan
Appendix 2 – Visual Impact Assessments
Appendix 3 – Outline Block Plan
Appendix 4 – Viewpoint Sheets

Tree plans

Tree Survey Report CBA 11120 v1
Tree Works Schedule & Tree Protection CBA 11120 v2

Transport

Transport Statement. Parts 1 & 2 039.0012/TS/1

Ecology

Preliminary Ecological Appraisal (John Wenman ecological consultancy) R1895/b
Ecological Mitigation Plan (John Wenman ecological consultancy) R2039/e – April 2019
Phase 2 Ecological Survey (Hazel Dormice, Reptiles and White Helleborine) (John Wenman ecological consultancy) R1966/f – April 2019

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

Prior to commencement of the development:

3. 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.

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

- new footpath links eg from Ilex Close;
- Boundary treatments
- repairs to existing paths
- new gates;
- signage;
- interpretation panels;

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- bins

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

5. Prior to the commencement of the development hereby permitted excluding works of demolition, detailed information (in the form of SAP design 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 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. Prior to development above foundation level, detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority and Southern Water before the commencement of the development hereby permitted. The approved details shall be fully implemented before development commences.

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

7. Unless otherwise agreed in writing by the LPA, No development hereby permitted shall commence until the groundwater level monitoring from December to April has been submitted to and approved in writing by the Local Planning Authority.

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

8. Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

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

9. Prior to any site clearance, excavation or preparatory works on site including the removal of any vegetation, top soil or trees or translocation of species, a Strategy for Pre-commencement Works shall be submitted to and approved by the local planning authority setting out a schedule for all pre-commencement works including timings of mitigation measures, tree protection and site inspections. This shall cover as required:

- tree works
- ecology
- archaeology
- s278 works / access works
- drainage / utility works

Pre-commencement works shall be carried out in accordance with these approved details.

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Reason: To ensure that pre-commencement works are co-ordinated to avoid unacceptable impacts to trees, biodiversity and archaeology and to minimise impacts on public and local amenity.

10. 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 (to include a phase of preliminary archaeological evaluation work), 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:

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

11. 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.

12. Prior to work commencing on the site a Construction 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.

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- 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 construction traffic management measures including the provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development.
- Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway.
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control

Works shall be undertaken in accordance with the approved details.

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.

13. 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.

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

Prior to occupation:

14. 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.

15. Before any development hereby permitted is first occupied, details of measures to be adopted by the applicant or any other party becoming responsible for the development, for the management and maintenance of un-adopted common areas comprising shared land outside the private garden areas and dwellings; shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory future arrangements for the maintenance of the common parts of the development are secured in the interests of good planning and the amenities of future residents, since the development is not to be adopted by the local authority.

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16. No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking spaces provided for the dwellings shall be thereafter maintained and kept available.

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

17. Prior to the occupation of the dwelling(s) 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.

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.

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

Reason: In the interests of highway safety.

19. 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.

20. Prior to any external lighting being installed, details shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

Other:

21. 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

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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.

22. The parking areas 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.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the north elevation of plot 1, the side (south west) elevation of plot 19, the side (north east) elevation of plot 20, the north elevation of plot 23 and the east elevation (fronting onto plot 7) of the flats to the south of the site hereby permitted.

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

Informatives:

01. 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.

In this instance the applicant was updated of any issues after the initial site visit.

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:-

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA2, MTRA4, CP1, CP2, CP4, CP7, CP10, CP11, CP13, CP14, CP15, CP16, CP20, CP21.

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM2, DM6, DM15, DM16, DM17, DM18, DM23, DM26.

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

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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 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>

07. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

08. 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 Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub contractors working on site and furnish them with a copy of the consent and approved drawings.

09. Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge
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or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact highways.development.control@hants.gov.uk

If road is not going to be adopted

The applicant is advised that, if the road is not adopted, an Advance Payment Code is required to seek a surety bond upfront to cover the cost of completing the access new road. Please contact Hampshire County Council Highway Authority on 01962 847074 for further details.