

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

RESOLUTION

29.01.2009

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Item **Winchester Town** **Ward** **St John And All Saints**

1 **Conservation**

Area:

Case No: 08/01779/OUT

Ref No: W03887/16

Date Valid: 23 July 2008

Grid Ref: 449646 128512

Team: EAST **Case Officer:** Nick Parker

Applicant: Cavendish And Gloucester Properties

Proposal: Demolition of existing offices and warehouse and erection of business, enterprise and innovation park comprising Class B1 (b) research and development units and Class B1 (a) office units with associated car parking, hard and soft landscaping and an energy centre(OUTLINE)

Location: Pilot Clothing Ltd Chilcomb Lane Chilcomb Winchester Hampshire SO21 1HU

Officer PER

Recommendation:

Committee Decision:

That, provided the applicant enters into a Legal Agreement to secure:

- A Green Travel Plan
- Provision of a shuttle bus service
- Financial contributions towards sustainable highway measures

The application be PERMITTED, subject to the following conditions and informatives:

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

Conditions/Reasons

1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).

2 Approval of the details of the design and external appearance of the proposed development and the hard and soft landscaping of the site (which shall include details of external lighting) (hereinafter called "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order).

3 The details of the reserved matters application(s) which are: the appearance of the buildings and hard and soft landscaping (which shall include details of external lighting), shall adhere to the details set out in the design and access statement and drawings:

- 0606_GAD_440001_A
- 0606_GAD_440002_A
- 0606_GAD_440003_A

as submitted with this application. The approved reserved matters shall be implemented in full before the buildings are occupied.

Reason: To secure a visually appropriate development in this extremely sensitive location which is designated the East Hampshire Area of Outstanding Natural Beauty

4 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), the development hereby permitted shall be used only for the following purposes:

Northern Block - Class B1 (b) (Research and Development) of the Schedule to the Town and Country Planning (Use Classes) Order 2005, (or in any provision equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order with or without modification) and for no other purpose(s)

Southern Block - Class B1 (a) (Offices) of the Schedule to the Town and Country Planning (Use Classes) Order 2005, (or in any provision equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order with or without modification) and for no other purpose(s)

Reason: In order to retain an acceptable mix of uses pertaining to a business, enterprise and innovation centre.

5 No development shall take place until details and samples of the external 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 (in respect of those identified by an * to be erected as a panel on site). Details of the following materials are required:

- Spilt face flint banding *
- Multi stock brickwork *
- Zinc cladding of window pods *
- PPC aluminium window frames *
- PPC aluminium curtain walling *
- Solar shading
- Timber cladding *

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

Reason: In order to ensure a high quality external appearance for the buildings in the interests of visual amenity

6 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:

- existing and proposed finished levels or contours;
- means of enclosure;
- car parking layout;
- other vehicle and pedestrian access and circulation areas;
- hardsurfacing materials;
- minor artefacts and structures (eg. street furniture, refuse or other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (eg. drainage, power,
- communications cables, pipelines etc, including lines, manholes, supports etc.)

Soft landscape details shall include the following as relevant:

- tree and shrub planting plans:
- written specification (including cultivation and other operations associated with tree and shrub establishment:
- schedules of plants, noting species, sizes and proposed numbers/densities where appropriate:
- retained areas of grassland cover, scrub, hedgerow and woodland:
- manner and treatment of watercourses, ditches and banks:
- implementation programme:

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

7 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: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

8 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the perimeter woodland for between 15 and 20 years, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the details hereby approved.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historic significance.

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

9 Prior to the commencement of development details of any green roof and green walls hereby approved shall be accompanied by a detailed method statement and management plan which shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details.

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

10 Prior to any demolition, construction or groundwork commencing on the site, an Arboricultural Method Statement (AMS), in accordance with BS5837:2005; shall be submitted to and approved by the Local Planning Authority. The AMS shall cover the following points relevant to the retention of trees:

- (i) tree protection plan;
- (ii) tree protection measures including ground protection where appropriate;
- (iii) technical specification for low impact "no dig" construction of access and pathways within root protection areas;

- (iv) schedule of works and arboricultural monitoring including pre-start meetings with the Local Planning Authority's Arboricultural Officer prior to commencement and prior to the installation of "no dig" surfacing;
- (v) specification of any proposed tree works required to facilitate the development.

The Arboricultural Officer shall be informed as soon as the construction exclusion zone has been fenced so that it can be inspected and deemed appropriate and in accordance with the approved AMS.

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

No arboricultural works shall be carried out to trees other than those specified and in accordance with the AMS

Any deviation from the works prescribed or methods agreed in accordance with the AMS shall be agreed in writing by the Local Planning Authority.

Reason: In order to protect the existing trees during the works in the interests of the visual amenity of the area.

11 Prior to the commencement of development a lighting management strategy shall be submitted to and approved in writing by the local planning authority. The lighting management strategy shall accord with the recommendations set out in the Environmental Lighting Conditions Report dated November 2008 compiled by WSP unless otherwise agreed in writing by the local planning authority and shall also include the following measures:

- Limiting illuminated hours to standard office hours Monday to Friday
- Utilisation of daylight cut-off devices
- Use of internal blinds

The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In order to minimise light pollution in the interests of the visual amenities of the area.

12 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 drainage details shall incorporate sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The approved details shall be fully implemented before the first occupation of the buildings.

Reason: To ensure satisfactory provision of foul and surface water drainage, to prevent increased risk of flooding and to improve water quality.

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

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

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

Reason: In order to secure satisfactory development, including the protection of the major aquifer beneath the site and in the interests of the safety and amenity of the future occupants.

14 Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person approved under the provision of condition 13 c) shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under the provisions of condition 13 c) 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.

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 Prior to the commencement of development a methodology statement shall be submitted to and approved in writing by the local planning authority detailing the method in which the existing pond is dismantled and cleared including a scheme that provides for the acceptable translocation of all species present (including GCN, fish, invertebrates etc.). The development shall be implemented in accordance with the approved methodology.

Reason: In the interests of protecting and enhancing the natural environment

17 The development hereby permitted shall be implemented in accordance with the Phase 1 Habitat Survey compiled by Su Forster of 4Woods Ecology Ltd dated September 2006 and adhere to the recommendations set out including the completion of additional up to date surveys in relation to the presence of bats and great crested newts. The findings of the additional surveys should include details of a mitigation strategy if required. The development shall be implemented in full accordance with the recommendations of the surveys unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting and enhancing the natural environment

18 Details of the floor slab levels and existing and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the site. The development shall be carried out in accordance with the approved details.

Reason: To protect the visual amenities of the locality.

19 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

20 The parking areas shall be provided in accordance with the approved plans before the development is first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the development hereby permitted.

Reason: To ensure the permanent availability of parking for the development

21 Piling or any other foundation designs using penetrative methods shall not take place other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the foundation design does not create additional potential pollutant pathways to the underlying aquifer.

22 The development hereby permitted shall not exceed 12 metres in height above the surveyed ground level.

Reason: In the interests of visual amenity.

Informatives

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

Hampshire County Structure Plan Review: Saved policies: E7 (AONB), T5 (transportation requirements)

Winchester District Local Plan Review 2006: Policies DP3 (general design criteria), DP6 (sustainability/renewable energy), CE6 (AONB), CE18 (extension of employment sites), E4 (office development outside of the town centre), T1 (development served efficiently by public transport, cycling and walking), T2 (development access), T4 (parking standards), T5 (off-site contributions).

2. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

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

Item **Itchen Valley** **Ward** **Itchen Valley**

2 **Conservation**

Area:

Case No: 08/02513/FUL

Ref No: W02224/12

Date Valid: 30 October 2008

Grid Ref: 452380 132942

Team: EAST **Case Officer:** Andrea Swain

Applicant: Goddall Barnard Construction LTD

Proposal: 1 no. four bed and 2 no. two bed dwellings; alterations to existing access (Alterations to permission W02224/11) (RESUBMISSION)

Location: Land Adjacent To Chillandham Cross Chillandham Lane
Martyr Worthy Hampshire

Officer PER

Recommendation:

Committee Decision:

REFUSED FOR THE FOLLOWING REASON:

Conditions/Reasons

1. The proposed garage will have an overbearing and unacceptable adverse impact on the occupants of Chillandham Cross. The development is therefore contrary to DP3 (vii) of Winchester District Local Plan.
(NB. This wording has been agreed with the Chair.)

Informatives

1. The Local Planning Authority has taken account of the following Development Plan policies:
Winchester District Local Plan: DP1, DP3, DP4, DP5, DP6, and H7

Item **Shedfield** **Ward** **Shedfield**

3 **Conservation**

Area:

Case No: 08/02549/FUL

Ref No: W03995/03

Date Valid: 15 December 2008

Grid Ref: 455976 115025

Team: WEST **Case Officer:** Mr James Jenkison

Applicant: Southcott Homes Ltd

Proposal: Erection of 1 no. detached four bedroom dwelling with detached single garage (amendment to existing planning permission W03995/02 including rooms in roof space and 4 no. roof lights in front elevation)

Location: Smithy Cottage Bull Lane Waltham Chase Hampshire

Officer PER

Recommendation:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

1. Before the development hereby approved is first brought into use, visibility splays of 2.0 metres by 43 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are first occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual 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:

- hard surfacing materials:
- planting plans:
- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- written specifications (including cultivation and other operations associated with plant and grass establishment:

Soft landscape details shall include the following as relevant:

- means of enclosure, including any retaining structures.

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

5. 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: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

6. The hedgerows along the north-east, western and southern boundaries shall be retained and maintained at a minimum height of 1 metre along the north-east boundary and 2 metres along the western and southern boundaries in good condition and where necessary reinforced with appropriate species to be agreed in writing with the Local Planning Authority. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

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

7. The first floor windows in the western elevation (facing towards the back garden of Summerfield) of the dwelling hereby permitted shall be glazed in obscure glass and thereafter retained.

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

8. 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 first floor windows, roof-lights or dormer windows other than those expressly authorised by this permission shall, at any time, be constructed in the south-west elevation or roof slope (facing towards Summerfield) of the dwelling hereby permitted.

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

Informatives

1. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: T5
Winchester District Local Plan Review 2006: DP1, DP3, H3, H7, RT4, T2

Item **Winchester Town** **Ward** **St Michael**

4 **Conservation**

Area:

Case No: 08/02777/FUL

Ref No: W00202/21

Date Valid: 5 December 2008

Grid Ref: 448440 129220

Team: WEST **Case Officer:** Miss Megan Birkett

Applicant: Winchester City Council

Proposal: Refurbishment to upgrade and improve office facilities;
rationalisation of internal circulation, installation of a platform
lift and replacement external doors

Location: Abbey Mill Colebrook Street Winchester Hampshire SO23
9LH

Officer PER

Recommendation:

Committee Decision:

APPROVE SUBJECT TO THE FOLLOWING CONDITION(S):

Conditions/Reasons

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

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

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.

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

Hampshire County Structure Plan Review: E16

Winchester District Local Plan Review 2006: DP3, HE14, HE4, HE5