

WINCHESTER CITY COUNCIL

PLANNING COMMITTEE : DEVELOPMENT CONTROL MEETING

DECISIONS

13.12.2007

PART II DEVELOPMENT CONTROL APPLICATIONS
AND DECISIONS THEREON

Item
01

Parish	Winchester Town
Conservation Area:	
Case No:	07/02501/FUL
Ref No:	W02246/26
Date Valid:	9 October 2007
Grid Ref:	446549 130743
Team:	EAST
Applicant:	CM (Winchester) Ltd
Proposal:	Mixed use development including; 4 no. residential dwellings, food store and retail shop units (A1-A5), healthcare facility (D1), car parking and landscaping (amendment to existing planning permission W02246/25 with a reduction of 3 no. dwellings and an increase in floor area to healthcare only)
Location:	Derek Warwick, Honda, Stockbridge Road, Winchester, Hampshire
Recommendation:	PER

APPROVED SUBJECT TO THE FOLLOWING LEGAL AGREEMENTS AND CONDITION(S):-

Provided GOSE do not 'call in' the application for determination by the secretary of state.

Recommendation subject to a section 106 Legal Agreement to secure the following:-

- Prior to the occupation of the foodstore payment of financial contribution to Hampshire County Council of £250,000 towards highway improvement works to be carried out within 1km of the development and or Chilbolton Avenue and its junctions to either end.
- On first occupation of the housing, a financial contribution to Hampshire County Council of £25,000 to be used for works included within the Winchester Movements and Access Plan.
- If requested by the County Council within 10 years of opening the store, financial contribution to the Hampshire County Council of £65,000 for the provision of a PUFFIN crossing in addition to an uncontrolled crossing on Stoney Lane, such payment to be secured by a bond
- Prior to opening of the food store, a contribution to Hampshire County Council of £15,000 towards traffic regulation orders or works to improve on-street parking in the vicinity of the site. Make available through a bond a financial contribution of £10,000 for further traffic regulation orders or works identified as a result of parking surveys, such works to be identified by The County Council within one year of the food store opening and implemented within 2 years of the food store opening.
- Entering into a Section 278 Agreement with the County Council to secure highway works as shown indicatively on Drawing 186.010 Rev AA. Such works to include measures to formalise the desire lines of cyclists on Stockbridge road.
- Prior to occupation to complete those highway works as shown indicatively on Drawing 186.010 Rev V.

- Prior to commencement of works to carry out a survey of on-street parking on Stockbridge Road, Stoney Lane, Fromond Drive and Burnett Close to establish usage and duration of stay. Such a survey to be carried out at monthly intervals for three months after opening.

-Within three months of occupation to implement a Travel Plan approved by the Local Highways Authority.

- Lorry routing plan to be submitted by the applicant for inclusion within the agreement, including details of restriction of deliveries to the site and timing of deliveries (subject to Chairman's agreement)

- Provision of Bollards on edges of landscape strip between Burnetts Close and Stockbridge Road, to prevent parking of vehicles on the land during construction and after completion of the development (subject to Chairman's agreement)

And subject to a contribution of £7252 towards Provision of Public Open Space

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

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

2 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the building 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 before the building is occupied.

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

3 Before development takes place fully annotated 1:50 scale drawings of all plans (including roof plans), elevations, sections; and 1:20 scale drawings of typical detail for doors, windows, eaves, rainwater gear, lighting and other external furniture, shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

4 No development shall take place until details of the finished floor levels of the new buildings hereby permitted in relation to the existing ground levels of the site and ground levels beyond the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, before the development is occupied.

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

5 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:

- existing and proposed finished levels or contours:

- means of enclosure, including any retaining structures:

car parking layout:

other vehicle and pedestrian access and circulation areas:

- hard surfacing materials:

- minor artefacts and structures (eg. street furniture, play equipment, 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:

- planting plans:

- written specifications (including cultivation and other operations associated with plant and grass establishment:

- schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:

- manner and treatment of watercourses, ditches and banks:

- implementation programme:

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

6 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.

- 7 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of from the date of the occupation of the building(s) for its permitted use.
- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.
- c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the protection of trees which are to be retained.

- 8 No development shall commence until the applicant has submitted for approval details outlining cycle parking provision within the site.

Reason: In the interests of highway safety.

- 9 A construction Traffic Management Plan shall be submitted for approval by the Local Highway Authority in writing prior to the commencement of development. The measures contained within it shall be retained for the duration of the construction period.

Reason: In the interests of highway safety.

- 10 The car parking within the site shall be made available for use by the general public for perpetuity.

Reason: In the interests of highway safety.

- 11 The development hereby approved shall be carried out solely in complete accordance with the amended details shown on drawing 186.010 Rev AA unless otherwise agreed by the Local Planning Authority in writing. The area shown on the submitted plan for the turning of service vehicles shall not be used for the parking of cars and for the storage of any structures or equipment. No structures or equipment, other than those which have received approval by virtue of this application, shall be placed on any of the other external areas around the building (with the exception of

the area behind the gates by the loading bay area) without the prior written consent of the local planning authority.

Reason: In the interests of highway safety and in the interest of visual amenity

- 12 The applicant shall provide recycling facilities, the details of which, together with the proposed location, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such details shall include any additional landscaping required to soften the impact of the facilities. Such facilities shall be available for use on commencement of the use of the retail store.

Reason: In the interests of promoting sustainable developments

- 13 Details of the means of access, including the layout, construction and sight lines, shall be submitted to and approved by the Local Planning Authority in writing prior to development commencing. The agreed details shall be fully implemented before the development is brought into use.

Reason: In the interests of highway safety.

- 14 No development approved by this permission shall be commenced until a scheme for the foul drainage has been submitted to and approved in writing by the Local Planning Authority

Reason: The site is within a groundwater Source Protection Zone III. The mains foul water sewer is in close proximity to the site. There is a presumption for connection to this system

- 15 Prior to the commencement of development, a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing by the Local Planning Authority.

1. A desk study identifying
 - all previous uses
 - potential contaminants
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.
4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements shall require the express consent of the Local Planning Authority.

Reason: To protect the major aquifer beneath the site. The site may be contaminated due to

previous activities that have taken place on site. Risk to controlled waters have not yet been fully established at the site.

- 16 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval for the Local Planning Authority for, an addendum to the Method Statement. This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.

Reason: To protect the major aquifer beneath the site. There may be areas of the site, which cannot be fully characterised by a site investigation and unexpected contamination may be identified.

- 17 No infiltration or surface water drainage into the ground is permitted 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 risk to controlled waters.

Reason: To protect the major aquifer beneath the site as SUDS can increase the potential for pollution if located in contaminated ground.

- 18 Piling or any other foundation designs using penetrative methods will not be permitted 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 risk to groundwater.

Reason: To protect the major aquifer beneath the site. If used, piling may provide direct pathways for contaminants to groundwater.

- 19 No development approved by this planning permission shall be commenced until details for the surface water drainage have been submitted to and approved in writing by the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas and areas of hardstanding to be passed through an oil separator designed to have the capacity and details compatible with the site being drained. Roof water should not pass through the separator.

Reason: The site is within a groundwater Source Protection Zone III.

- 20 No development shall take place until a Construction Method Statement and Construction Code of Practice for limiting the emission of noise and dust from all the demolition and construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. Development shall not commence until the measures approved in the scheme have been fully implemented.

Reason: In the interest of amenity of neighbouring properties.

- 21 Details of a scheme for protecting the proposed dwellings from noise and road traffic shall be submitted to and approved by the Local Planning Authority in writing before the development commences. Any works which form part of the approved scheme shall be completed before any dwelling is occupied unless an alternative period is

agreed in writing by the Local Planning Authority. Such Noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded.

- 22 The smaller retail units facing onto Stoney Lane shall be retained as individual units and shall not be absorbed into the main retail store

Reason: In order to widen the retail choice within the area and to prevent the creation of a larger supermarket than that proposed, which would be considered out of scale with Weeke and increase the overall potential over-provision of retail floorspace within the city.

- 23 The area designated as foodstore storage/backup on Approved Drawing No 186.102 Z shall be retained as such and shall not be used for retail sales.

Reason: In order to prevent the creation of a larger supermarket than that proposed, which would be considered out of scale with Weeke and increase the overall potential over-provision of retail floorspace within the city.

- 24 No development, or site preparation prior to development which has any effect on disturbing or altering the level of composition of the land, shall take place within the site until the applicant (or their agents or successors in title) has secured and implemented a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological interest of the site is properly safeguarded and recorded.

- 25 Details of the construction and fixings for the steel landscape trellis structure shall be forwarded to the Local Planning Authority for approval prior to the commencement of development. Development shall be carried out strictly in accordance with the approved details.

Reason: In the interests of the landscape character of the area.

- 26 No deliveries shall be taken at or dispatched from the site except between the hours of 0700 and 2200 Monday to Saturday and 0800-1600hrs on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

- 27 The use hereby permitted shall not be open to customers outside the following times 8am and 10pm Monday to Saturday and as permitted by law on Sundays.

Reason: To protect the amenities of the occupiers of nearby 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 Proposals: DP1, DP3, DP4, DP5, DP6, DP8, DP9, DP10, DP11, DP13, H3, H7, SF1, SF6, RT4, T1, T2, T3, T4, T5, W1, W8

- 3 All works including demolition and construction should only be carried out between the hours of 0800 and 1800hrs Monday to Friday and 0800 and 1300hrs Saturday and at no time on Sundays or Bank Holidays. Where allegations of noise from such works are substantiated by the Health and Housing Service, 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 the Health and Housing Service substantiate allegations of statutory nuisance, 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
- 5 A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water's Network Development Team (Water) based in Chatham, Kent or www.southernwater.co.uk

Item

02

Parish	Winchester Town
Conservation Area:	
Case No:	07/02298/FUL
Ref No:	W20865
Date Valid:	4 October 2007
Grid Ref:	446669 129796
Team:	EAST Case Officer: Mrs Jill Lee
Applicant:	Mr And Mrs Curtis
Proposal:	Two storey side and rear extension and single storey front extension (AMENDED DESCRIPTION)
Location:	16 Shelley Close, Winchester, Hampshire, SO22 5AS
Recommendation:	PER

APPROVED SUBJECT TO THE FOLLOWING CONDITION(S):-

(Amended plans dated 6th December 2007)

Conditions/Reasons

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

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

- 2 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

- 3 The obscure glazed balcony screen shown on plan reference 05 shall be provided at a minimum height of 1.8m prior to the extension being occupied and thereafter retained.

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:-

Winchester District Local Plan Review 2006: DP3

Item

03

Parish	Winchester Town
Conservation Area:	Winchester Conservation Area
Case No:	07/02382/FUL
Ref No:	W16254/07
Date Valid:	12 October 2007
Grid Ref:	449223 129403
Team:	EAST
Applicant:	Ms Sally Humphries
Proposal:	Roof lights to western elevation and eastern roof valley
Location:	80 Alresford Road, Winchester, Hampshire, SO23 0JX
Recommendation:	PER

Case Officer: Mr Simon Avery

APPROVED SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

- 1 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 east or west elevation of the dwelling.

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: E16
Winchester District Local Plan Review 2006: DP3

Item

04

Parish	Wonston
Conservation Area:	Sutton Scotney Conservation Area
Case No:	07/02366/FUL
Ref No:	W06972/47
Date Valid:	1 October 2007
Grid Ref:	445880 139459
Team:	EAST
Case Officer:	Mr Dave Dimon
Applicant:	Wessex Childrens Hospice Trust
Proposal:	Erection of six bed hospice with communal space and a hydrotherapy provision; first floor accommodation with office and meeting space with plant rooms and storage
Location:	Naomi House, Stockbridge Road, Sutton Scotney, Winchester, Hampshire, SO21 3JE
Recommendation:	PER

APPROVED SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons

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

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

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

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

- 3 Details of a scheme for protecting the proposed development from road traffic noise shall be approved by the Local Planning Authority in writing before the development commences. Any works which form part of the approved scheme shall be completed before the development is occupied unless an alternative period is agreed in writing by the Local Planning Authority. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To ensure that acceptable noise levels within the building and its curtilage are not exceeded.

- 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:

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

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

- (g) - planting plans:
- (h) - written specifications (including cultivation and other operations associated with plant and grass establishment:
- (i) - schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate:
- (j) - retained areas of grassland cover, scrub, hedgerow, trees and woodland;
- (l) - implementation programme:

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 in the first planting season following the occupation of the building or the completion of the development whichever is the sooner 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 existing tree belt to the eastern boundary of the site (other than the very limited felling forming part of this consent) shall be retained and shall not be topped, lopped or felled other than in accordance with a scheme of arboricultural maintenance works as first submitted to and approved in writing by the Local Planning Authority. The trees shall be maintained in accord with the recommendations of the arboricultural report and any trees required to be felled shall be replaced by others of appropriate species and size within the first planting season following such removal.

Reason: To ensure that this important feature of the site is retained and maintained in the interests of the visual amenity and character of the area.

- 7 The proposed temporary access to the A30 shall be used only for serving the construction site and shall be closed up and reinstated with new indigenous tree planting to the satisfaction of the Local Planning Authority before the new accommodation is first brought into use.

Reason: In the interests of highway safety and to ensure that the character of the area is satisfactorily reinstated following the cessation of the need for such temporary access.

- 8 Before the development hereby permitted is commenced a construction traffic

routing plan shall be submitted to and approved in writing by the Local Planning Authority to require that all construction traffic or deliveries of materials to the site shall avoid the use of Stockbridge Road in connection with the development hereby permitted.

- 8 Reason : In the interests of road safety and the residential amenity of properties in Stockbridge Road.
- 9 The development shall not be occupied until the supporting Travel Plan has been approved by both the Local Planning Authority and the Local County Highway Authority. The plan shall be implemented within 3 months of the occupation of the development and evaluated in accordance with an approved programme.

Reason: To promote alternative modes of transport to the private motor car and reduce the need to travel, in accord with the sustainability objectives of the development plan and Government guidance.

- 10 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

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 None,
Winchester District Local Plan Review: DP.3, CE.4, T4
- 3 A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858600) or www.southernwater.co.uk.
- 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 Bank Holidays.

- 5 Where allegations of noise from such works are substantiated by the Environment Department, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
 - 6 No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Health and Housing Department, 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.
 - 7 The applicant is advised that water from the pool should be left unchlorinated for a minimum of 24 hours prior to disposal to soakaway.
-