

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE AGENDA

**Item No:** 07  
**Case No:** 16/00320/FUL / W22475/05  
**Proposal Description:** (AMENDED PLANS RECEIVED 18.07.2016) Demolition of existing bungalow and outbuildings, proposed replacement single storey dwelling with attached garage  
**Address:** Texas, Texas Drive Olivers Battery Winchester Hampshire  
**Parish, or Ward if within Winchester City:** Olivers Battery  
**Applicants Name:** Mr Mark Oakley  
**Case Officer:** Lorna Hutchings  
**Date Valid:** 22 February 2016  
**Site Factors:** Civil Aviation  
Overhead Power Line  
Village Greens and Common Land  
**Recommendation:** Application Permitted

### General Comments

This application is reported to Committee because of the number of objections received.

Amended plans have been received and re-advertised which show a size reduction and significant changes to the design and layout of the replacement house. This is reviewed in the assessment section below.

This application is also the second resubmission of a refused application. The first resubmission was also dismissed at appeal (see history below).

The original application was for a new dwelling house to be sited on the footprint of the existing dwelling. The house had a floor area of 561m<sup>2</sup> over two floors with 5 bedrooms. It was 7.95 metres to main ridge height when viewed from the west and 9.15m when viewed from the east. The overall appearance, form, scale and massing of the house was articulated by variation in eaves and ridge heights, combination of two storey, single storey, variation in roof form/plan and diversity of external elevation and materials. Main external materials proposed comprised brick, cedar shingles, plain clay tiles, slate tiles, aluminium windows and timber windows.

The first resubmission was for the replacement dwelling to be sited on the footprint of the existing dwelling. The proposed dwelling was to be cut into the slope to provide a sub-terranean lower ground floor. The proposed dwelling had a total floor area of approximately 463m<sup>2</sup> (GEA) over three and would be 7.8m to the main ridge height when viewed from the northwest. The overall appearance, form, scale and massing of the house was again to be articulated by variation in eaves and ridge heights, variation in roof form/plan and diversity of external elevation and materials. The main external materials would comprise red brick, horizontal timber boarding and plain clay roof tiles. Windows were to be timber/aluminium casements.

Both schemes were designed in a traditional idiom.

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## Site Description

The application site is located on the eastern side of Texas Drive outside and to the south west of the settlement boundary of Winchester. The site is within the designated countryside and within the Local Gap. The site is accessed via a single unmade track which also serves one additional dwelling which has been extended. The site contains a single storey dwelling which has been unoccupied. This is a three bedroom dwelling which including the outbuildings measures 308 sq.m in area (gross external area).

The site contains a significant amount of vegetation in the centre of the large garden area and along the south western boundary. There are mature trees in the northern corner and along the north western boundary but the south eastern boundary is more open. These boundaries are important in wider views from the Rights of Way.

Open land separates two Texas Drive properties from the housing (at a higher level to the north-west) along the southerly edge of Oliver's Battery, such that they form an isolated pocket of development. Although the timber-clad dwelling on the adjacent plot is a relatively recent replacement dwelling, the existing dwellings and assorted outbuildings are low key in size and materials, and the surrounding trees and other vegetation are the more dominant feature in some views. Even so, the existing dwelling on the site is visible to varying degrees, albeit it is not prominent, from several viewpoints, including from higher levels on Yew Tree Hill; the public footpath along the south-east boundary of the appellant's land; the public footpath along the edge of Oliver's Battery. Views from that edge are identified in the VDS as ones which should not be restricted by changes in land use, such as dense tree planting, in effect to maintain the landscape's open character.

In terms of landscape assessment, the site is within the Hursley Scarplands Landscape Character Area, as defined in the Winchester District Landscape Character Assessment (2003). It is acknowledged in the Landscape and Visual Impact Assessments (LVIA) which have been undertaken, that the site and its environs, in the countryside and a settlement gap, is a valued landscape that is particularly sensitive to change.

## Proposal

Four bedroom dwelling with integral parking and a landscaped courtyard garden. External driveway and parking area to the front of the property.

Dimensions 32m maximum length to front elevation, 21m in depth to sides with central courtyard set in to rear elevation with 10m length either side.

## Relevant Planning History

**13/01367/FUL Demolition of existing dwelling and erection of replacement five bedroom dwelling, landscaping and associated works. Refused 28 August 2013.**

Refusal reason:

The proposed development would be contrary to policy CP18 of the Winchester District Local Plan Part 1 - Joint Core Strategy and saved policies CE2 and CE23 of the Winchester District Local Plan 2006 Review because it represents a replacement dwelling in the countryside which would result in increased visual intrusion and harm by reason of its considerable size and design, particularly when compared to the existing single storey

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dwelling which is modest in scale and has a limited landscape impact, and would also reduce the stock of more affordable dwellings in the countryside. The proposal would also result in development that would physically and visually diminish the Local Gap and thus undermine its function which would be detrimental to the visual amenities and character of the area.

**14/00868/FUL Demolition of existing dwelling and erection of replacement 1 no. four bedroom dwelling, landscaping and associated works (RESUBMISSION) refused 16 July 2014.**

Refusal reason:

1 The proposed development would be contrary to policy CP18 of the Winchester District Local Plan Part 1 - Joint Core Strategy and saved policies CE2 and CE23 of the Winchester District Local Plan 2006 Review because it represents a replacement dwelling in the countryside which would result in increased visual intrusion and harm by reason of its considerable size and design, particularly when compared to the existing single storey dwelling which is modest in scale and has a limited landscape impact, and would also reduce the stock of more affordable dwellings in the countryside. The proposal would also result in development that would physically and visually diminish the Local Gap and thus undermine its function which would be detrimental to the visual amenities and character of the area.

2 The proposed development is contrary to saved policy CE23 of the Winchester District Local Plan 2006 Review as it represents a replacement dwelling in the countryside which would result in increased visual intrusion and harm by reason of its considerable size and design, particularly when compared to the existing single storey dwelling which is modest in scale and has a limited landscape impact, and would also reduce the stock of more affordable dwellings in the countryside.

**APP/L1765/A/14/2223749** dismissed due to the significant harm it would cause in terms of character and appearance, and some additional harm in terms of diminishing a local gap, the proposal would conflict with the third, environmental, dimension. 15 December 2014.

## Consultations

Engineers: Highways:

No Objection

Head of Landscape:

The proposed dwelling would be substantially larger than the existing one, despite a re-design which has sought to reduce its size. The recently submitted visualisations reveal that the new dwelling would be clearly visible. In the agreed viewpoints the proposed dwelling would appear as a significantly larger and more bulky building than the existing and would occupy a larger area of the site. This intensification of built form on the site would have a significant and harmful urbanising effect upon this unspoilt open countryside.

NOTE The revised scheme and viewpoints were agreed with the landscape officer before the submission of the amendments and the more recent change to the materials palette and additional revisions of the viewpoints has resulted in the objection being lifted.

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Environment Agency:

No comment

Southern Water:

It may be possible for the flows from the proposed development to be connected to a nearby public sewer.

Head of Historic Environment (Archaeology):

No objection in principle (condition \*\*)

**Representations:**

Olivers Battery Parish Council

- The PC does not object to a replacement of the existing dwelling but the scale and mass should be proportionate to the existing dwelling and the only dwelling nearby, i.e. 2 Texas Drive. Indeed, there would be some benefit in replacing a dwelling in poor condition with one built to modern, energy efficient standards. In this respect, and through the construction process, the proposal would contribute in a very modest way to the social and economic dimensions of sustainable development. This would also be the case for a much more modest sized proposal.
- However, due to the significant harm it would cause in terms of character and appearance and in terms of diminishing a local gap, the proposal would conflict with the third, environmental, dimension. Overall the proposal would not amount to the sustainable development that national and local plan policy seeks to achieve.
- Significant safety issues will be generated at the single lane bottleneck at the end of Priors Way which is the vehicular, pedestrian and cyclist access to the popular Oliver's Battery Recreation Space and children's playground, as well as the two dwellings on Texas Drive.
- Many Oliver's Battery residents as well as adults and children from beyond the Parish boundary will be adversely affected by the safety risks noted above
- Despite the large number of public objections to the previous applications, there has been no attempt at consultation with public or Parish Council on the current proposal. As a consequence, many local residents will not be aware of the amended proposals and their potential impact.

8 representations objecting to the application for the following reasons:

- Out of scale
- Significantly larger than existing
- Major impact on the landscape
- Out of character
- Increased traffic
- Contrary to policy
- Lack of consultation
- Larger than pre app proposal
- Design and choice of materials
- No drainage design
- Loss of vegetation

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- Potential use

**Relevant Planning Policy:**

Winchester District Local Plan Review  
CE2, CE23, DP3 and DP4

Winchester Local Plan Part 1 – Joint Core Strategy  
CP13 and CP18, CP20

Winchester Local Plan Part 2: Development Management and Site Allocations  
DM3, DM14, DM15, DM16, DM17, DM22, DM25

National Planning Policy Guidance/Statements:  
National Planning Policy Framework

Supplementary Planning Guidance  
Olivers Battery Village Design Statement 2008.

**Planning Considerations**

Principle of development

The site is located within the countryside outside the settlement boundary of Winchester and within the Local Gap. Policy CP18 of the Winchester District Local Plan Part 1 – Joint Core Strategy and saved policies CE23 and CE2 of the Winchester District Local Plan 2006 Review are therefore applicable as they consider replacement dwellings within the countryside; and, development within Local Gaps.

From the supporting text of the Local Plan 2006 relating to Policy CE23, the stated aims of the Local Planning Authority are to maintain a mix of dwelling sizes and types in the countryside to retain variety in the housing stock. Due to an oversupply of large houses, the Local Authority will therefore promote the provision of a range of dwellings including smaller, more affordable dwellings by limiting the size of replacement or extension of such dwellings to no more than 25% of the existing floor area.

Policy DM3 in LPP2 continues to support the retention of smaller dwellings with evidence supplied in the most recent Strategic Housing Market Assessment (SHMA) suggesting this deficit continues. There was no objection to the principle of continuing to restrict the scale of extensions through the consultation therefore this policy carries significant weight in decision making.

However outweighing this policy is the appeal decision relating to this site for the replacement of the dwellings. When this matter was considered at appeal the Inspector concluded that

“As the existing dwelling on the appeal site can reasonably be said to have three bedrooms, replacing it with a larger dwelling would not conflict with the first part of that requirement. Where the floor area of the existing dwelling is less than 120m<sup>2</sup>, the explanatory text indicates that a replacement dwelling should not normally exceed the existing floor area by more than 25%, whatever the number of bedrooms. Although the floor area of the replacement dwelling would be around four times that of the existing dwelling, the existing floor area is only 5m<sup>2</sup> short of the 120m<sup>2</sup> threshold. Moreover, the

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explanatory text says the Council's particular concern is retaining "smaller more affordable dwellings of 1 or 2 bedrooms". That being the case, and irrespective of scope to extend the existing dwelling under permitted development rights, I give little weight to the conflict with this element of the supporting text."

The Inspector analysed various appeal decisions and concluded that it was highly relevant that neither the NPPF nor the more recent Planning Practice Guidance refers to restricting the size of domestic extensions so as to maintain a stock of small and more affordable dwellings in the countryside and therefore on that basis he gave little weight to LP Policy CE.23(ii) as a factor weighing against this proposal.

The design of the replacement dwelling has moved forward on the basis that this part of the policy would not be applied and it is the impact of the dwelling in the countryside to be addressed.

One of the core planning principles in the National Planning Policy Framework establishes that planning should take account of the different roles and character of different areas, recognising (amongst other things) the intrinsic character and beauty of the countryside. A key element of that character is the generally limited amount and extent of built development. Thus a replacement dwelling significantly larger than the one it replaces, or of a design inappropriate to its rural context, could potentially have adverse visual and urbanising impacts that would seriously detract from the countryside's character.

The Inspector's reasons for dismissing the appeal fell to 2 main issues:

1. The effect of the proposal on the character and appearance of its surroundings:

Due to its 'height, mass and spread' the proposal was deemed to be visually intrusive in comparison to the existing low-key bungalow.

2. Effect of the proposal on the Compton Street 'Local Gap'

Policy CE.2 seeks to retain the generally open and undeveloped nature of the defined settlement gap. The policy seeks to restrict development to that which does not physically or visually diminish the defined gaps. The proposals put forward were deemed to have a detrimental visual impact given the physical size and extent of the proposed development.

Design and Impact on the Character of the Area.

The scheme put forward at pre application stage therefore sought to address the comments raised in the appeal decision. The following approach was taken:

- A replacement dwelling which is single storey.
- A proposal which responds to the topography of the site, following the contours to minimise the height and prominence of the dwelling when viewed from public vistas.
- A proposed footprint which integrates with the existing mature landscaping.
- A design which is simple in form, akin to the existing dwelling and outbuildings

The linear form of the dwelling proposed initially with this application was considered to result in a still significant spread of built form across the site (45m in length) impacting

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detrimentally on the character of the area.

In order to address the specific comments of the Inspector in respect to this impact and the objections received, amended plans were received proposing a squarer C-shaped footprint (more in line with the pre application which proposed three blocks) enabling the building to sit behind the existing vegetation on the site. It was agreed to further amend the proposal with the submission of revised viewpoint plans showing a more recessive pallet of materials changing the pale bricks proposed to a darker multi buff and soft stock brick to further mitigate the appearance of the scheme. Sample materials will be agreed through a condition to ensure this (condition \*\*).

The height of the dwelling (just over 4m) is considered acceptable as it has been fundamentally reduced from the previously 2 storey dwelling cut into the site, by the new design approach. The contextual elevations submitted demonstrate this and the visual analysis shows how views from Olivers Battery and Texas Drive would now be very well screened.

The views shown are also considered to demonstrate that the final amended scheme works with the levels on the site and is respectful within the sensitive views from the south so that the significant harm previously identified with the earlier schemes has now been reduced to an acceptable level. It is acknowledged that the replacement dwelling is much larger in size than the original dwelling and whilst reduced in floor area from the dismissed appeal the spread of built form on the site will still be significant at 427m<sup>2</sup> and will have an impact on the character of this site. It is however concluded that these material considerations are outweighed by the mitigating effects of the high quality of design, use of natural materials, minimised form and height and significant new landscaping designed to assist the siting and appearance of the replacement dwelling nestle into the landscape.

Of particular importance is the significant reduction in height and that there will be no cutting into the site. The replacement house proposed in the dismissed application was of a very substantial size with considerable earthworks intended to assist in minimising its size. The visual impact of that with at least 2.8m tall retaining walls at each side of the house, with flights of steps between the two levels greatly exacerbated the impact of the proposed dwelling. It was considered that sinking the house below ground level in this way would create an incongruous feature in the downland landscape. The height and the mass of the replacement property now proposed is considered to result in a less bulky proposal therefore lessening the harm in this respect.

#### Impact on the Gap

Development Plan policy seeks to restrict development to that which does not physically or visually diminish the defined gaps. In this case it relates to the generally open and undeveloped gap between Oliver's Battery and the village of Compton Street to the south and east (on which the nearby overhead power lines have relatively little impact). The Inspector concluded that his findings regarding the physical size and extent of the proposed development and its visual impact, it follows that the proposal would also then have an adverse impact in diminishing the gap, thereby conflicting with Policies CP18 and CE.2. He found that in terms of the gap's primary function that adverse impact would not be very great but, even so, it is a negative rather than a positive factor. It is therefore concluded for the current proposal that these concerns are therefore

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addressed given the reduced mass, bulk and height of the proposal and acceptable impact on the countryside defined.

Impact on neighbouring property

There proposed will have no impacts on any neighbours property in respect of this amenities due to the isolated location of the dwelling and distance from its closest neighbour.

Highways/Parking

This proposal does not contain any significant highway issues and is unlikely to impact on highway safety. The site is already in residential use and so any additional traffic trips generated by the larger replacement property will not be significant.

Archaeology

The proposed development may have archaeological implications since it lies within an area rich in archaeological remains, particularly from the later prehistoric period. The level of archaeological survival within the site is currently unknown, however it is unlikely that there are any archaeological remains present that would be deemed worthy of conservation and thus form an overriding constraint to development. There is no objection in principle to the proposal on archaeological grounds, however in accordance with Section 12 of NPPF, in light of the archaeological potential of the site, the recording and reporting of any archaeological deposits that will be affected by the proposed works should be secured through the attachment of suitable conditions to any planning consent that might be granted.

Conclusion

It is concluded that the replacement dwelling proposed will have a higher impact in the countryside than the original dwelling and that due to its size and spread it will result in a level of harm to the character of the area. However this level of harm is not considered to be so significant as to warrant refusal given the high quality of the design and mitigation design into the scheme. It is considered that it has been adequately demonstrated that the most sensitive views will be protected from any substantial impacts from the dwelling.

**Recommendation**

Application Permitted, subject to the following condition(s):

**Conditions**

01 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).

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the replacement dwelling 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.



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03 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/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:

1. The programme and methodology of site investigation and recording
2. Provision for post investigation assessment, reporting and dissemination
3. Provision to be made for deposition of the analysis and records of the site investigation (archive)
4. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

04 Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

05 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

06 No development shall take place until full 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:

- Proposed finished levels or contours, in comparison to existing ground levels, including the damp proof course and ground floor of the proposed buildings, and the relationship to the levels of adjacent buildings, together with contours to be formed and earthworks to be undertaken;

- All boundary treatment;

Soft landscaping works:

- planting plans (for new trees, hedges and other planting);
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- implementation and long term (10 year) maintenance programme.

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

07 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.

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

View 1- View 7 1501\_10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23\_P3

Landscape Plan 1516-0101

T2 plan - 1501\_02, 03, 04, 05, 06, 07, 08, 09\_P2

Reason: To ensure clarity in the decision of the approved plans.

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

Reason: Any works to the scheme need to be carefully controlled given sensitive landscape location.

### **Informatives**

01 In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

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

In this instance the applicant was updated of any issues during the course of the application.

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

Winchester District Local Plan Review  
CE2, CE23, DP3 and DP4

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Winchester Local Plan Part 1 - Joint Core Strategy  
CP13 and CP18, CP20

Winchester Local Plan Part 2: Development Management and Site Allocations  
DM3, DM14, DM15, DM16, DM17, DM22, DM25

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

04 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.

05 Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne.

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>

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**Grant of Planning Permission**

Planning Application Reference: **16/00320/FUL**

**Decision Date:- 28.10.2016**

Winchester City Council **GRANTS** planning permission for **(AMENDED PLANS RECEIVED 18.07.2016) Demolition of existing bungalow and outbuildings, proposed replacement single storey dwelling with attached garage at Texas, Texas Drive, Olivers Battery, Winchester, Hampshire, SO22 4HT**, subject to the following conditions:

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

1 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 replacement dwelling 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.

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

3 No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/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:

1. The programme and methodology of site investigation and recording
2. Provision for post investigation assessment, reporting and dissemination
3. Provision to be made for deposition of the analysis and records of the site investigation (archive)
4. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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3 Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.

4 Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.

4 Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.

5 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

6 No development shall take place until full 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:

- Proposed finished levels or contours, in comparison to existing ground levels, including the damp proof course and ground floor of the proposed buildings, and the relationship to the levels of adjacent buildings, together with contours to be formed and earthworks to be, undertaken;
- All boundary treatment,;
- Soft landscaping works:
  - planting plans (for new trees, hedges and other planting);
  - written specifications (including cultivation and other operations associated with plant and grass establishment)
  - schedules of plants, noting species, plant sizes and proposed numbers/densities where, appropriate;
  - implementation and long term (10 year) maintenance programme.

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

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.

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

If you need information in a different format e.g. large print, Braille, electronically or a translation, contact our Customer Service Centre on 01962 840 222 or by email [customerservice@winchester.gov.uk](mailto:customerservice@winchester.gov.uk)



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Landscape Plan 1516-0101, 1501\_02, 03, 04, 05, 06, 07, 08, 09\_P2

8 Reason: To ensure clarity in the decision of the approved plans.

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

9 Reason: Any works to the scheme need to be carefully controlled given sensitive landscape location.

J Pinnock  
**Julie Pinnock BA (Hons) MTP MRTPI**  
**Head of Development Management**

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## **Notes To Accompany Planning Decision Notice**

### **General Notes for Your Information:**

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In this instance the applicant was updated of any issues during the course of the application.

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CE2, CE23, DP3 and DP4

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CP13 and CP18, CP20

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DM3, DM14, DM15, DM16, DM17, DM22, DM25

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

04 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

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emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

05 Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne.

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>

**Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). The total amount due upon commencement of development is £36945.15.**

**A separate CIL Liability Notice has been produced which provides full details regarding CIL. Please refer to that notice for further information. As this is a CIL liable development you must advise Winchester City Council of your intention to commence work.**

#### **Rights of Appeal:**

- The applicant or the applicant's representative has the right to appeal to the Secretary of State against any of the conditions applied to this permission under section 78 of the Town and Country Planning Act 1990.
- As this is a decision relating to a Planning Application, any appeal against the conditions must be made within 6 months from the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

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- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- Appeals must be made using a form which you can get from the Secretary of State at:

The Planning Inspectorate (England)  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Or online at:

<https://www.gov.uk/government/organisations/planning-inspectorate>

- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State.

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<b>CONSULTATION REQUEST</b>	Case No: <b>16/00320/FUL</b>	W No: <b>W22475/05</b>
DOE Code: <b>Q13</b>	Date Sent: <b>08.03.2016</b>	<b>Response required by: 9 March 2016</b>
To: <b>WCC Archaeology</b>		From: <b>Planning Team , DC 1_NTH TEAM</b>

Location:	<b>Texas Texas Drive Olivers Battery Hampshire SO22 4HT</b>	
Proposal:	<b>Demolition of existing bungalow and outbuildings, proposed replacement single storey dwelling with attached garage</b>	
Please may we have your observations on the enclosed application Reason for consultation		
Additional remarks:		
Signed:	Date:	

<b>REPLY:</b>	
From: <b>WCC Archaeology</b>	To: <b>Planning Team , DC 1_NTH TEAM</b>
Observations:	
<b>Background:</b>	
<p>The proposed development may have archaeological implications since it lies within an area rich in archaeological remains, particularly from the later prehistoric period. To the north-west of the application site, are two Bronze Age barrows, which are designated as Scheduled Ancient Monuments (National Heritage List Ref. 1012796 - <i>Two bowl barrows 120m north-west of Texas</i>), whilst remains of later prehistoric trackways, holloways, field systems and enclosures are known within the area surrounding the site. Two areas of prehistoric burials (one containing inhumations and the other cremation burials) have been located and excavated to the north and north-east of the application site. These cemetery areas are indicative of occupation and activity within the area during the later prehistoric period.</p> <p>To the south-west of the application site are the remains of a WWI practice trench system. Oliver's Battery was the site of a WWI army camp and veterinary hospital. This was located to the north / north-west of the application site; however the presence of the camp close to the application site, together with the practice trench system to the south-west, suggests that further remains of WWI activity and occupation may exist within the area, potentially including the application site itself.</p>	
<b>Policy:</b>	
<p>The relevant policies are NPPF, specifically Section 12 "Conserving and enhancing the historic environment", CP20 of Winchester Local Plan Part 1 Joint Core Strategy and retained local plan policy HE.1.</p>	

**Issues:**

The existing building is a small single storey structure partially set into the hill slope and partially a raised above the slope. The proposal is for a much larger single storey dwelling which will also be set into the hillside, with associated landscaping; the proposed development will therefore entail extensive groundworks. Archaeological remains dating to the later prehistoric and early 20<sup>th</sup> century (as well as other periods) may thus be adversely affected.

The level of archaeological survival within the site is currently unknown, however it is unlikely that there are any archaeological remains present that would be deemed worthy of conservation and thus form an overriding constraint to development.

Consequently, a programme of archaeological investigation and recording is considered to form an appropriate strategy for mitigating the impacts of the proposed development on any surviving archaeological remains present within the application site. Given the extent of groundworks likely to be required for this proposal, a programme of strip, map and excavation is likely to be the most appropriate and effective archaeological mitigation strategy for this site.

**Advice**

There is no objection in principle to the proposal on archaeological grounds, however in accordance with Section 12 of NPPF, in light of the archaeological potential of the site, the recording and reporting of any archaeological deposits that will be affected by the proposed works should be secured through the attachment of suitable conditions to any planning consent that might be granted. For example:

- *No development/demolition or site preparation shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological mitigation work in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No demolition/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:*
  1. *The programme and methodology of site investigation and recording*
  2. *Provision for post investigation assessment, reporting and dissemination*
  3. *Provision to be made for deposition of the analysis and records of the site investigation (archive)*
  4. *Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.*

**Reason:** *To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations, in compliance with policy HE.1 of the Winchester District Local Plan Review.*

- *Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication.*

**Reason:** *To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available, in compliance with policy HE.1 of the Winchester District Local Plan Review.*

**Winchester City Council – Planning Development Control**

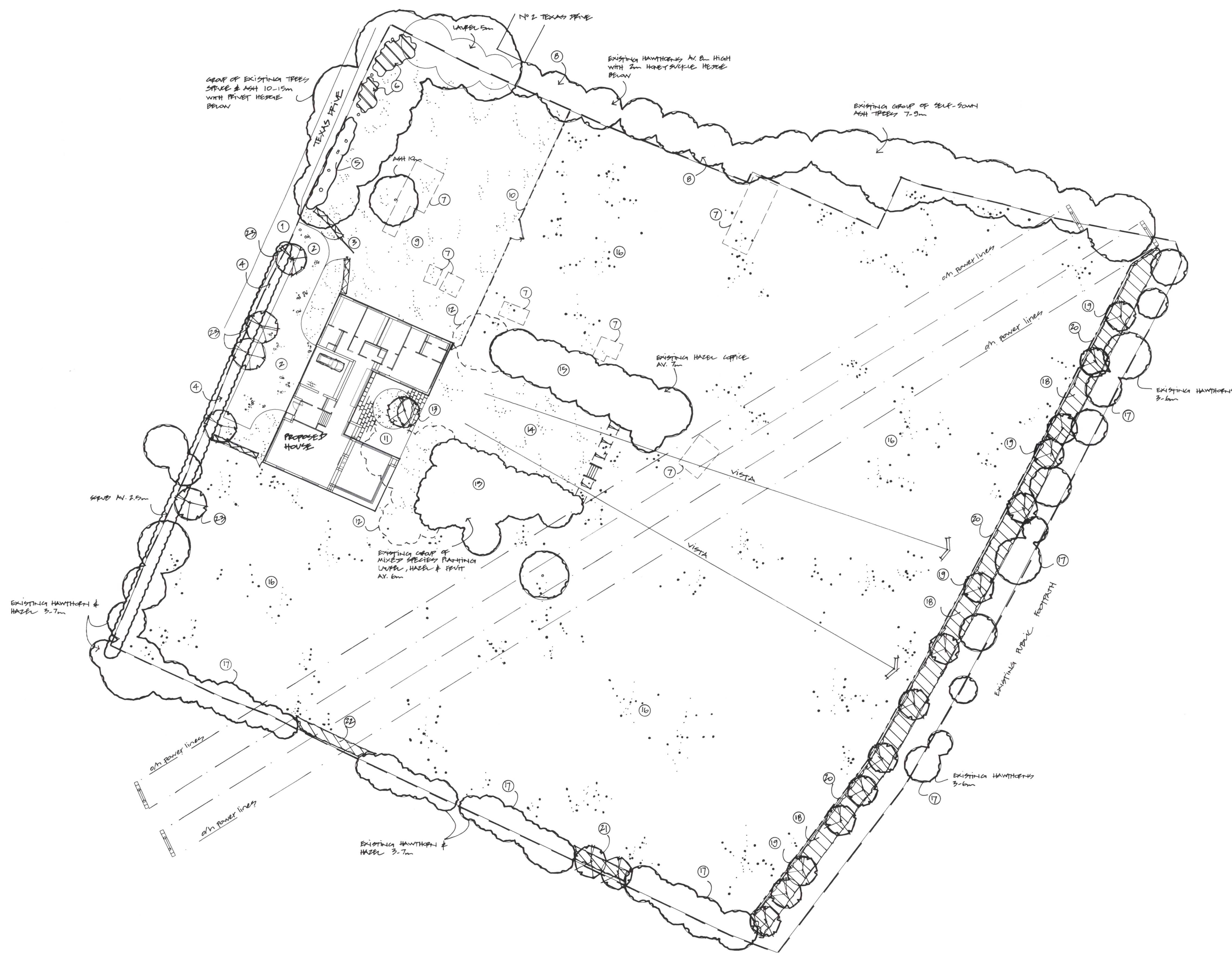
Recommendation (summarised). Please tick as appropriate:

**I raise no objection** on policy grounds, (Subject to the condition(s) listed












**I recommend refusal** on policy grounds, for the reason(s) listed.

Signed: Tracy Matthews

Date: 8<sup>th</sup> March 2016



KEY

-  EXISTING TREE RETAINED - APPROX. SIZE & POSITION ONLY
-  EXISTING HEDGEROWS/HEDGES. VARIABLE QUALITY. RETAIN
-  PROPOSED TREE - NATIVE SPECIES FAVOURED
-  NATIVE MIX HEDGEROW PLANTING TO STRENGTHEN BOUNDARY SCREEN (SHRUB SPECIES ONLY BELOW P/L)
-  PROPOSED CLIPPED HEDGE. VARIOUS HEIGHTS
-  SHADE TOLERANT UNDERSTOREY PLANTING
-  MOWN GRASS - TURF OR SEEDED
-  EXISTING GRASS RETAINED & MANAGED TO ENCOURAGE SPECIES DIVERSITY
-  REINFORCED GRAVEL SURFACE WITH PEGGED TIMBER EDGE
-  1.2m HIGH POST & 3 RAIL TIMBER FENCE WITH STOCKPROOF MESH
-  SITE BOUNDARY

LEGEND

- 1 Existing gravel drive
- 2 Proposed drive & arrivals court - reinforced gravel surface with pegged timber edge ('Nidagravel' or similar approved)
- 3 3.5m wide timber field gate providing access to field with radial clipped native hedge either side
- 4 Retain existing boundary vegetation & tidy to shape as required
- 5 Privet hedges retained & trimmed to shape
- 6 Shade tolerant understorey planting to close gap in boundary screen
- 7 Existing dilapidated outbuildings demolished. Areas topsoiled & seeded
- 8 Existing boundary vegetation retained as existing
- 9 Mown grass field to enhance setting of new dwelling
- 10 1.2m high post & 3 rail timber fence or post & 3 strained wire fence with stockproof mesh attached with central field gate
- 11 Terrace - natural stone slabs
- 12 Existing vegetation removed to enable construction
- 13 Small focal tree with area of groundcover below & shaped lawn
- 14 Front lawn kept clear of new planting to maintain open vista to south-east of attractive mid-distance views of surrounding countryside
- 15 Retain existing vegetation & tidy as required
- 16 Existing grass retained and maintained to encourage species diversity
- 17 Existing remnant native hedgerow retained - average quality with many gaps in screening
- 18 Proposed native mix hedgerow to create robust boundary screen. 3m wide to ensure views from adjacent public footpath are filtered. Planting possibly on low earth bund in places to increase effectiveness of screening. Planting and bund pulled back from boundary by approximately 4m to avoid adverse impact on retained Hawthorns along site boundary
- 19 Native trees to strengthen boundary screen. Planted in random natural arrangement
- 20 1.2m high post & 3 rail timber fence or post & 3 strained wire fence with stockproof mesh attached to protect planting
- 21 Native tree & hedgerow planting to close gaps in boundary screen
- 22 Native mix planting to close gap in boundary screen. Shrub species only as below power lines
- 23 Native tree planting to strengthen boundary screen

GENERAL NOTES

- Drawing to be read with Architects Site Layout, Landscape and Visual Impact report and separate A4 landscape maintenance plan.
- All existing trees & planting to be retained within or adjacent to the site shall be protected in accordance with BS5837:2012
- All imported topsoil to BS 3882:2007 multipurpose grade
- Contractor shall establish location of all services & drainage before starting any work
- Minimum topsoil depths to be: Trees 1 x 1 x 0.8m pit, Shrubs, Groundcover, Hedging and Climbers 400mm, Grass 150mm. All depths assume topsoil laid over clean subsoil
- Establishment maintenance for 12 months for all planting to include weed control, watering and replacement of failures (to the original Specification) in the planting season following failure. Particular attention given to watering trees during prolonged dry spells
- The developer/client shall be responsible for ensuring foundation design

LANDSCAPE PRINCIPLES

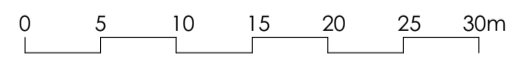
- **Revitalise** neglected landscape
- **Selectively remove** existing ornamental trees and shrubs out of keeping with countryside location
- **Protect and enhance** existing neglected boundary hedgerows
- **Bolster** tree cover by planting new trees. Native species favoured
- **Visually enhance** site by removing derelict structures
- **Reduce** potential adverse Visual Impact by careful siting of new buildings and by planting significant tree and hedgerow screen planting
- **Establish** attractive landscape setting for the new dwelling with framed views and vistas
- **Create** new, and **enhance existing**, habitats with new areas of native planting and areas of long mown grass

T G D Landscape Ltd  
 Chartered Landscape Architects  
 10 North End Close,  
 Chandlers Ford,  
 Eastleigh, Hampshire,  
 SO53 3HY  
 Tel: 02380 365825  
 Mobile: 07974 900280  
 tgdlandscape@btinternet.com

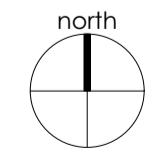
PROJECT  
**TEXAS DRIVE  
 OLIVER'S BATTERY  
 WINCHESTER**  
 DRAWING  
**Landscape Masterplan**  
 Scale: 1:300 @ A0  
 Drawn by: TG Date: August 2016  
 DRAWING NUMBER  
**1516 - 0101**  
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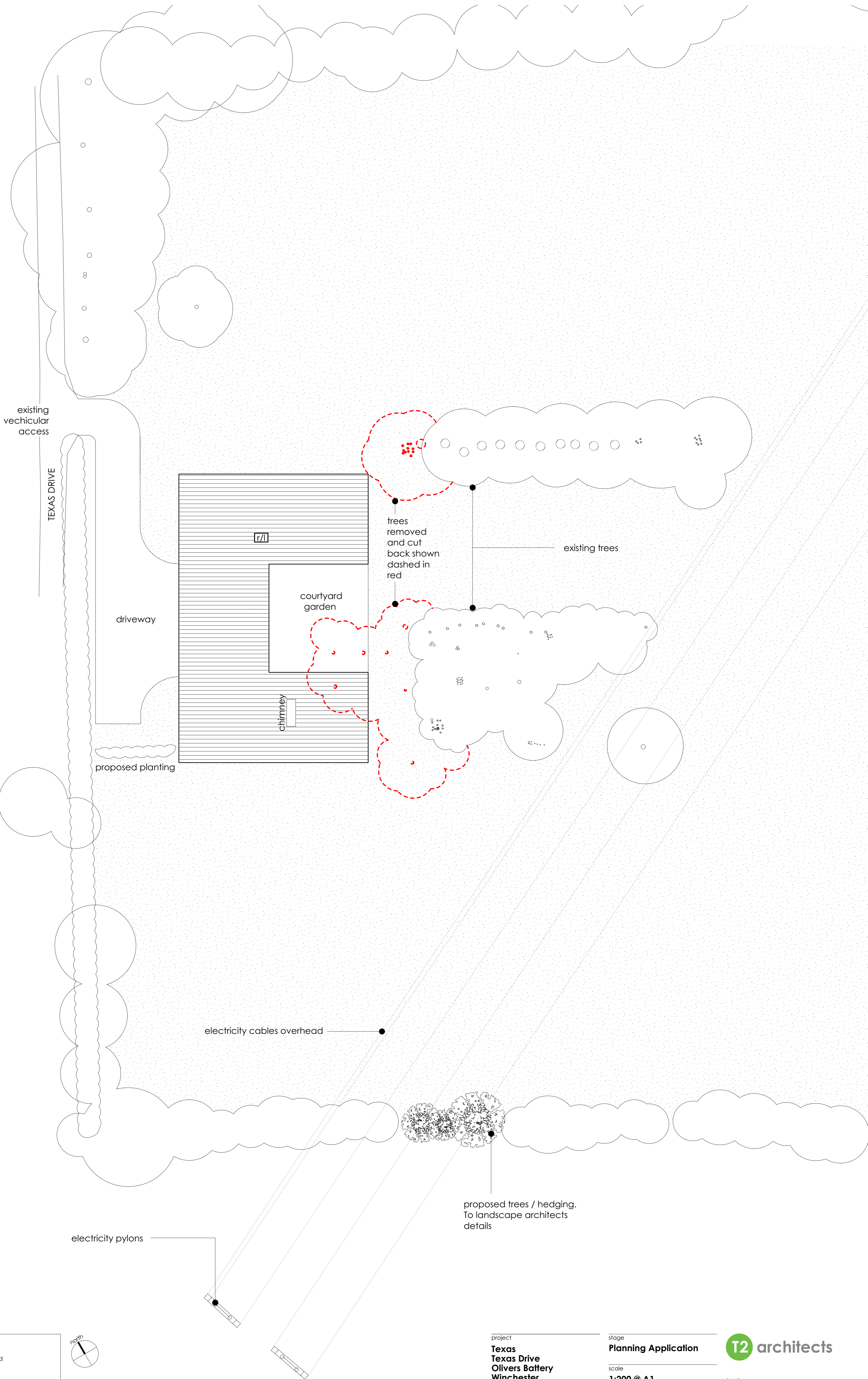
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project <b>Texas Drive Olivers Battery Winchester SO22 4HT</b>	stage <b>Planning Application</b>
client <b>Oakley</b>	scale <b>1:500 @ A1</b>
date <b>July 2016</b>	date <b>July 2016</b>
drawing <b>Block Plan PROPOSED</b>	job no., drwg no., revision <b>1501_02_P2</b>

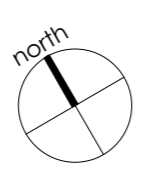


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 E info@T2architects.com  
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0 5 10 15 20 25 30m

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project  
**Texas Drive  
Olivers Battery  
Winchester  
SO22 4HT**

client  
**Oakley**

drawing  
**Site Plan  
PROPOSED**

stage  
**Planning Application**

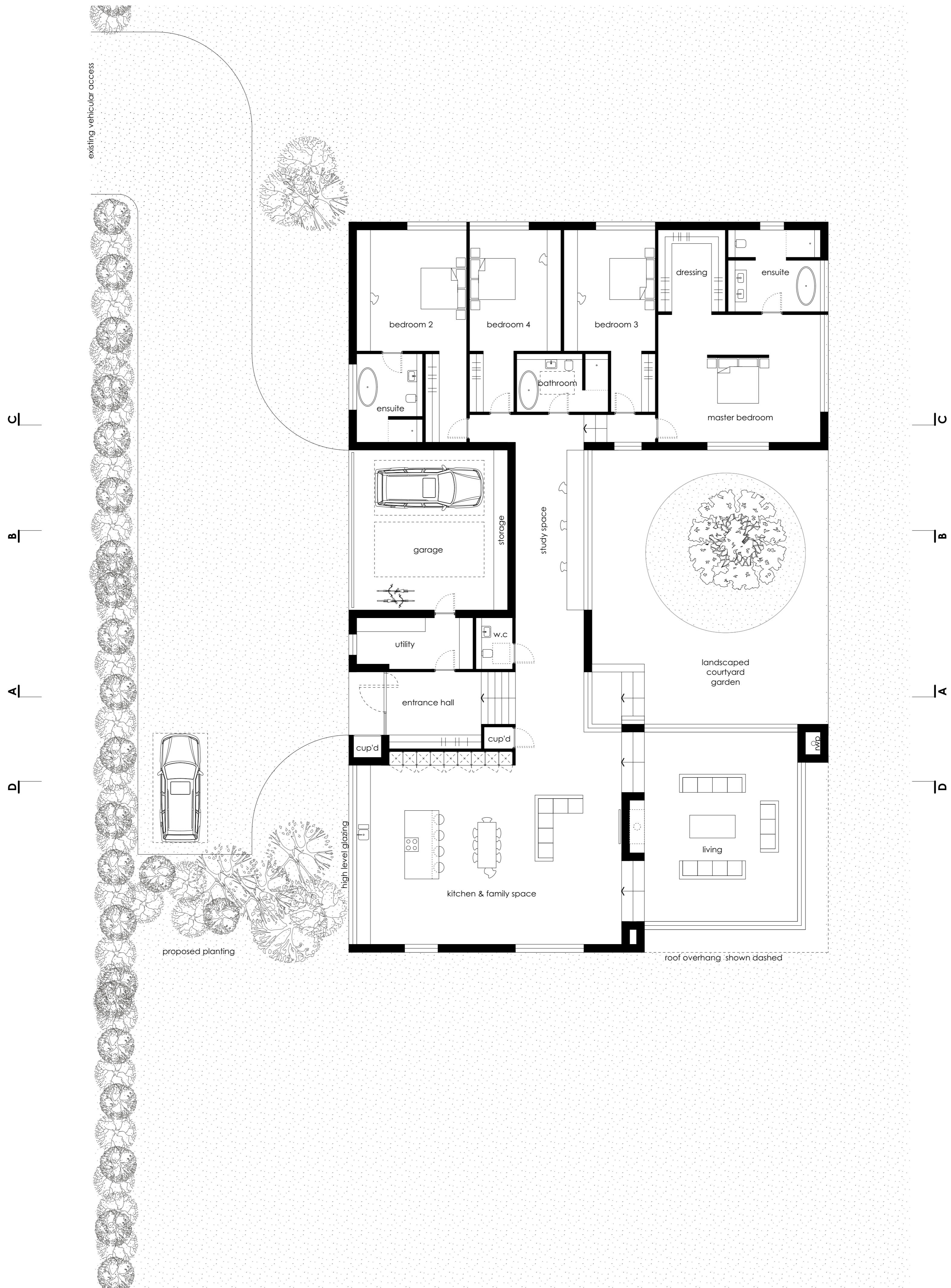
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**July 2016**

job no. / drwg no. / revision  
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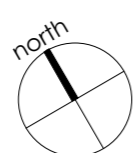
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0 1 2 3 4 5 6m

revisions  
**P2 • 13.07.16**  
 Design Amended



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project  
**Texas**  
**Texas Drive**  
**Olivers Battery**  
**Winchester**  
**SO22 4HT**  
 client  
**Oakley**

stage  
**Planning Application**

scale  
**1:100 @ A1**  
**1:200 @ A3**  
 date  
**July 2016**

drawing  
**Ground Floor Plan**  
**PROPOSED**

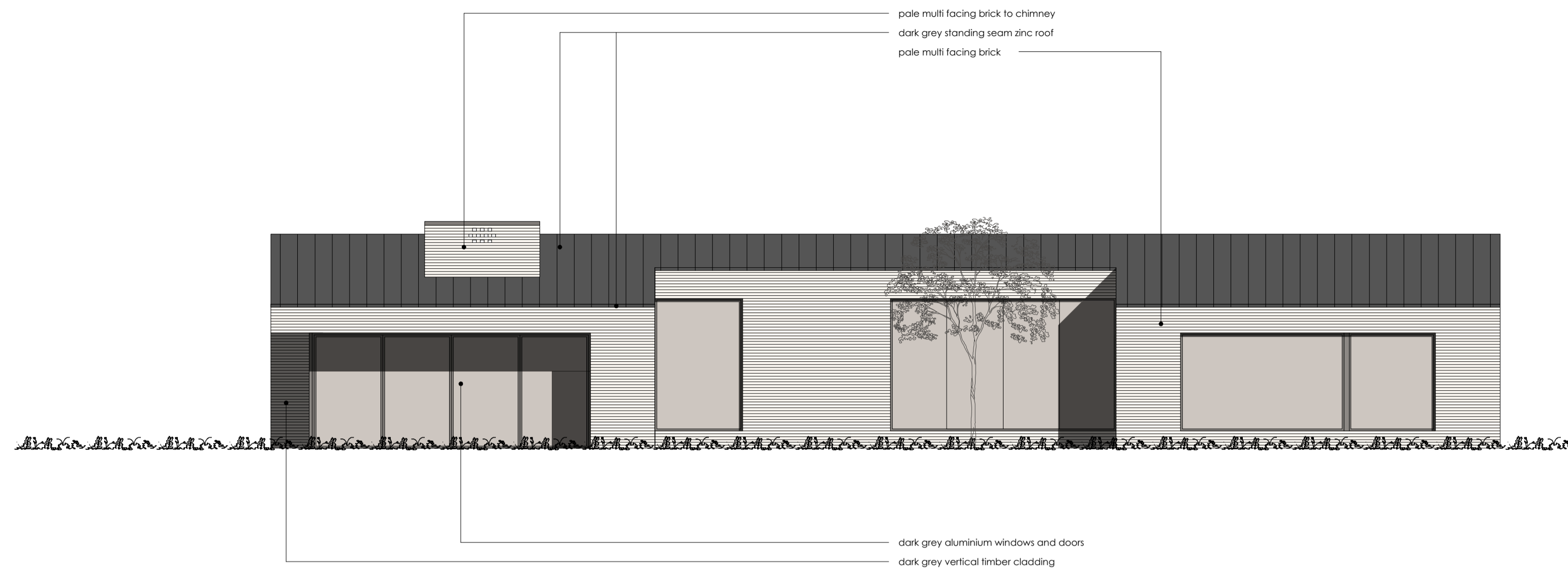
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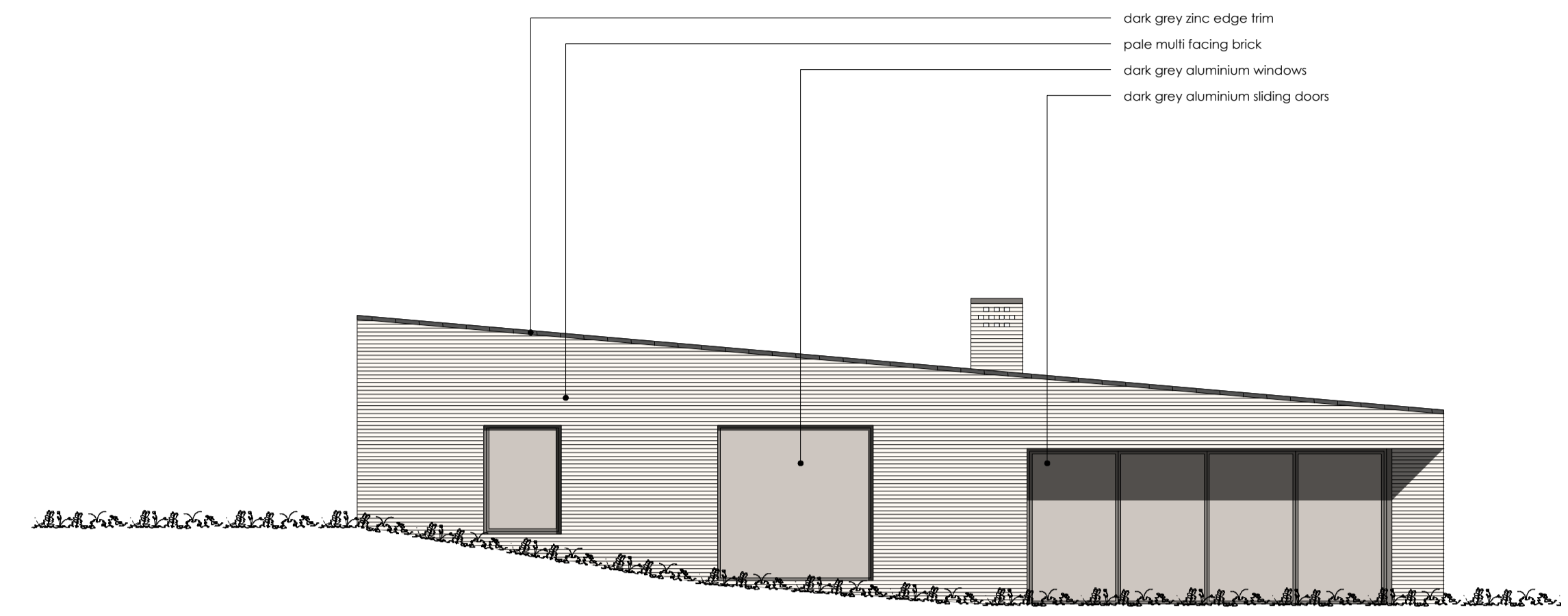
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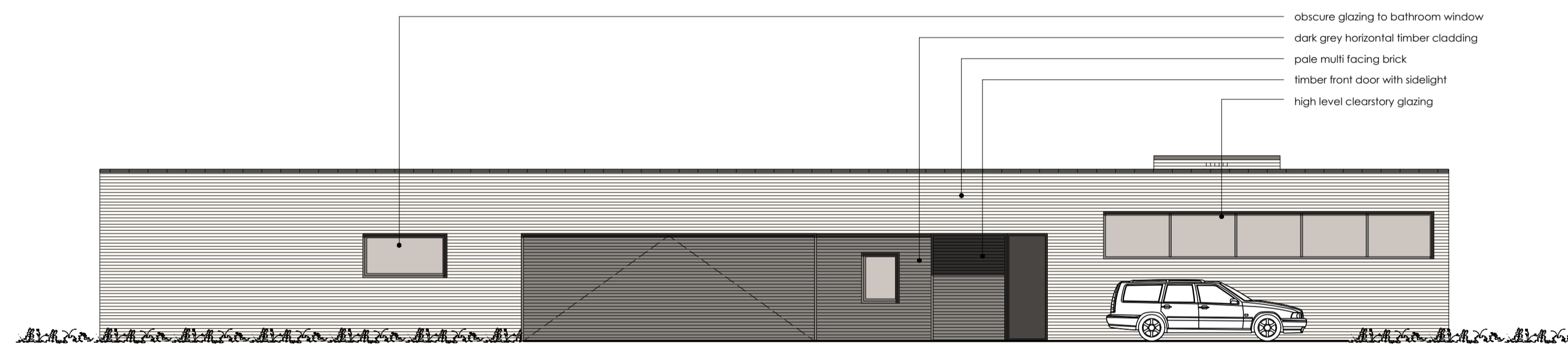
east (rear) elevation



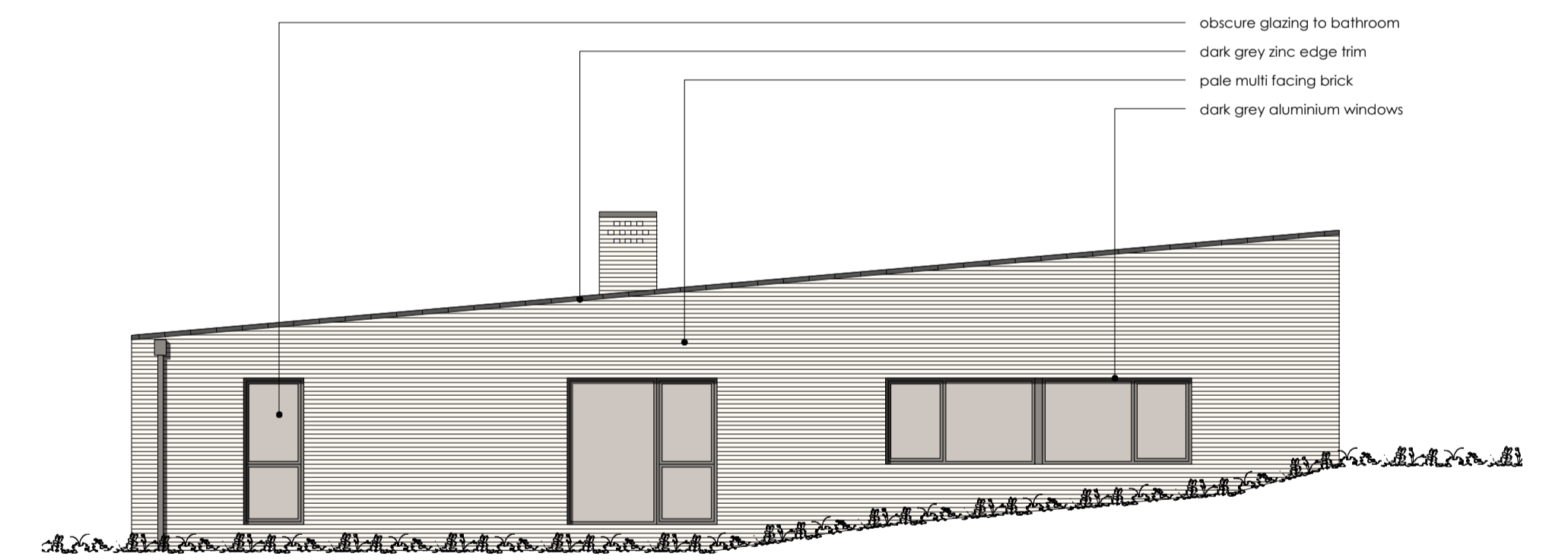
south (side) elevation



west (front) elevation



side (north) elevation

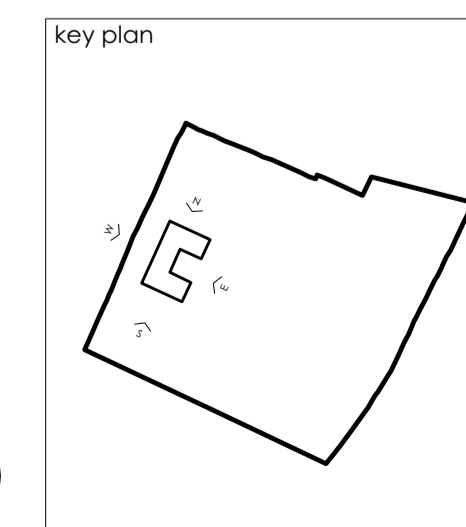


0 1 2 3 4 5 6m

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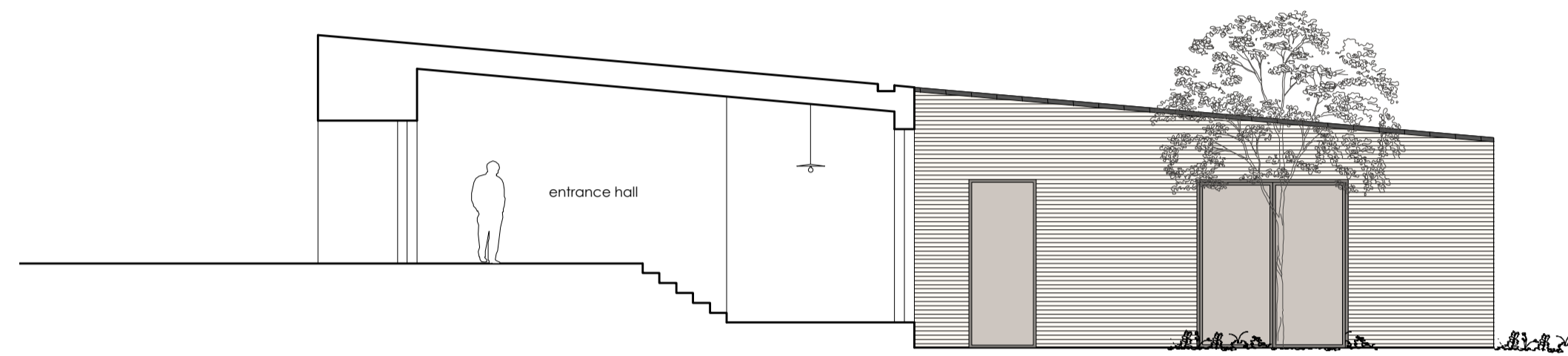
revisions  
**P2 • 13.07.16**  
 Design Amended



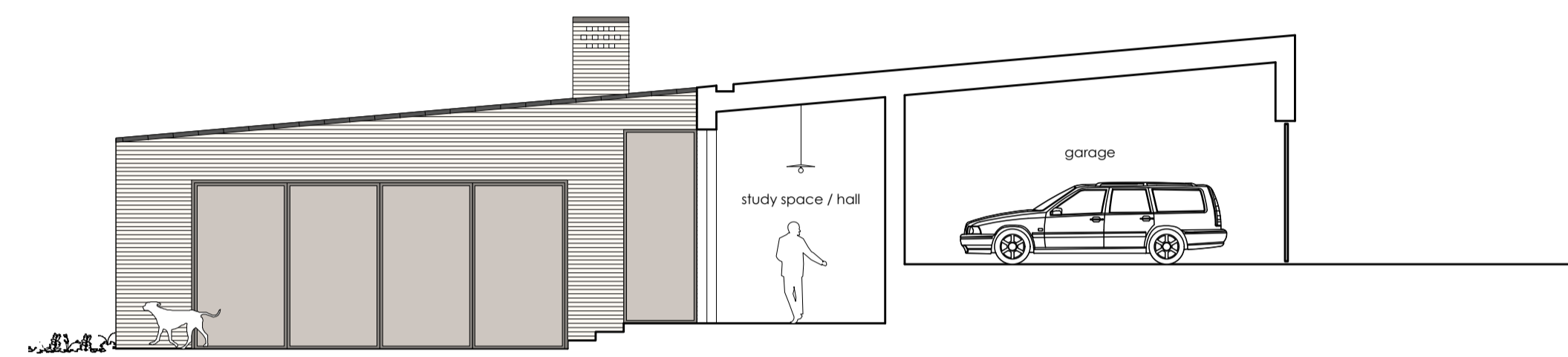
project  
**Texas Drive  
 Olivers Battery  
 Winchester  
 SO22 4HT**  
 client  
**Oakley**  
 drawing  
**Elevations  
 PROPOSED**

stage  
**Planning Application**  
 scale  
**1:100 @ A1**  
 date  
**July 2016**  
 job no./drwg no./revision  
**1501\_05\_P2**

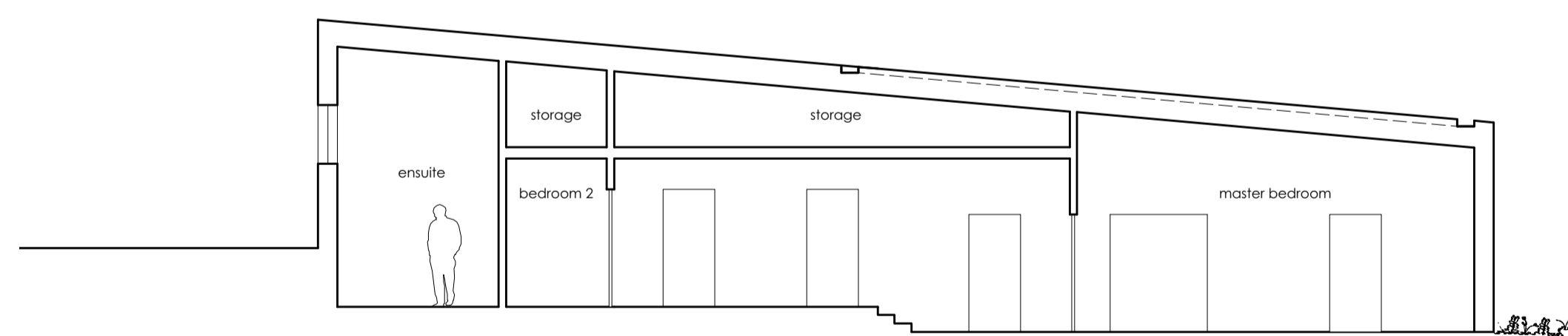
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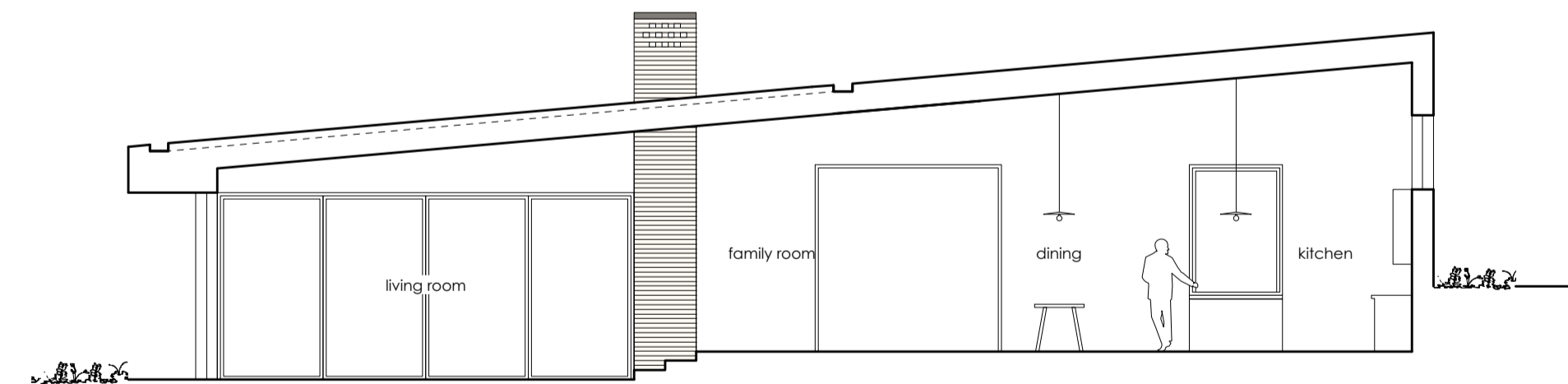
section A-A



section B-B



section C-C



section D-D

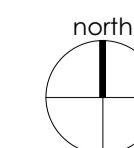
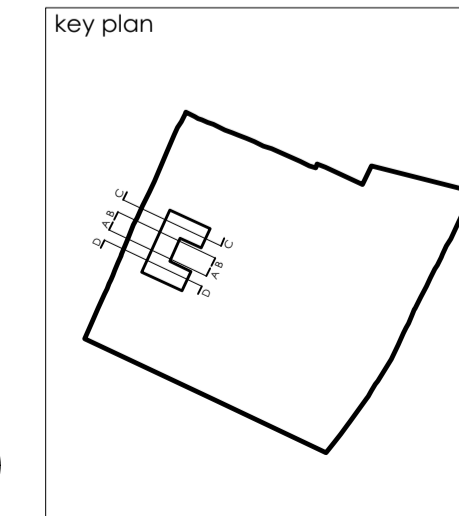
0 1 2 3 4 5 6m

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Design Amended

key plan



project  
**Texas Drive  
Olivers Battery  
Winchester  
SO22 4HT**

client  
**Oakley**

drawing  
**Sections / Elevations  
PROPOSED**

stage  
**Planning Application**

scale  
**1:100 @ A1**

date  
**July 2016**

job no./dwg no./revision  
**1501\_06\_P2**

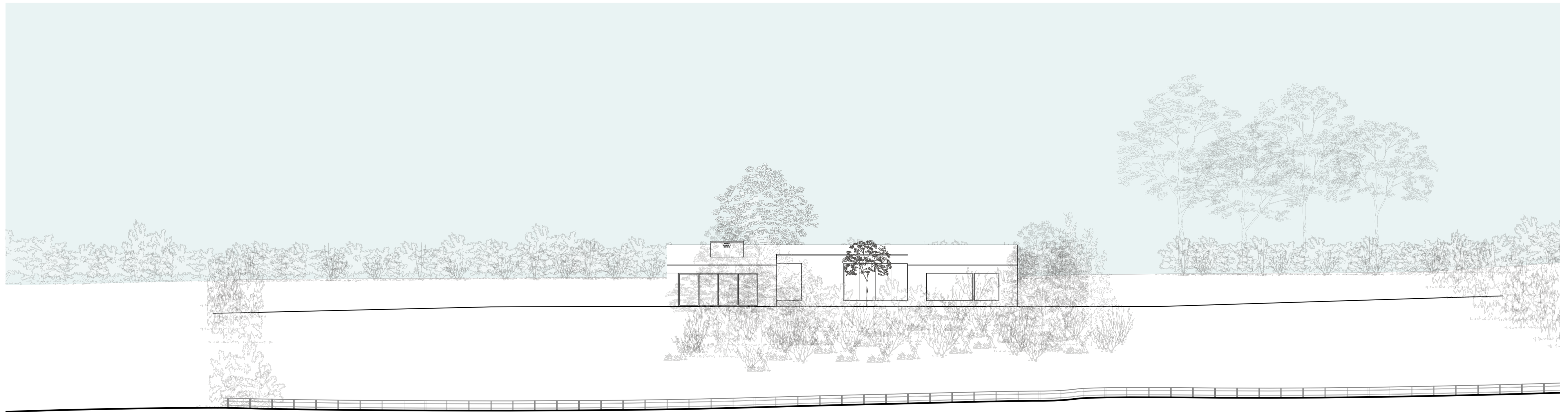
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1. context elevation from east (front elevation) - viewed from Texas Drive proposed

← proposed dwelling →



2. context elevation from west (rear elevation) - viewed from public footpath proposed

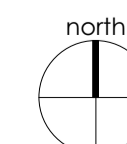
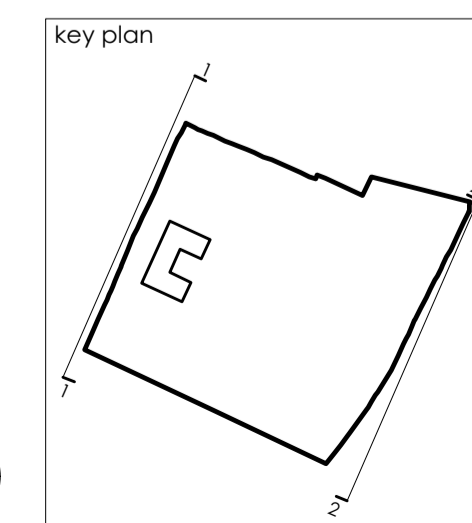
← proposed dwelling →

0 2 4 6 8 10 12m

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project  
**Texas Drive  
Winchester  
SO22 4HT**

client  
**Oakley**

drawing  
**Conext Elevations - East  
& West : PROPOSED**

stage  
**Planning Application**

scale  
**1:200 @ A1**

date  
**July 2016**

job no., drwg no., revision  
**1501\_07\_P2**

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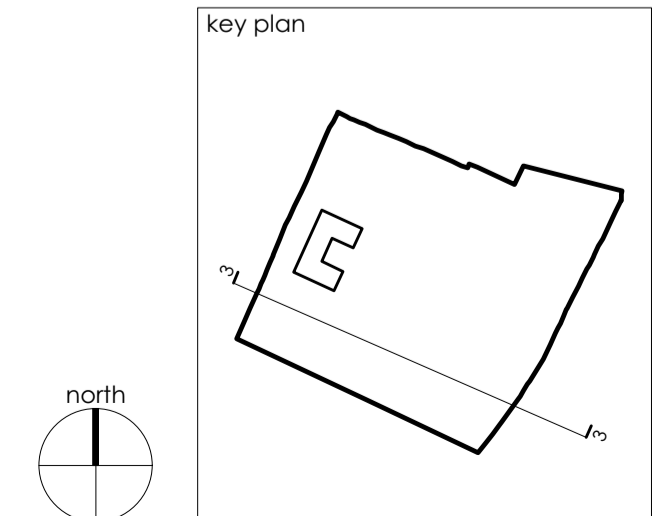
3. context elevation - viewed from south  
proposed

0 2 4 6 8 10 12m

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**Texas Drive  
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client  
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drawing  
**Conext Elevation  
South : PROPOSED**

stage  
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scale  
**1:200 @ A1**

date  
**July 2016**

job no., drwg no., revision  
**1501\_08\_P2**

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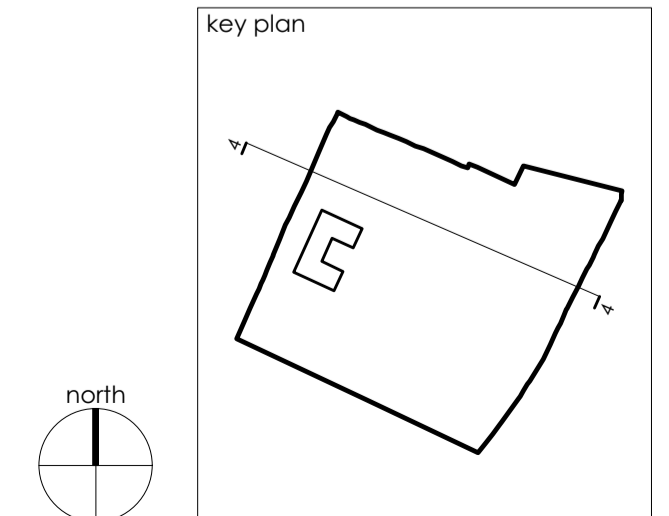
4. context elevation - viewed from north  
proposed

0 2 4 6 8 10 12m

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**Texas Drive Winchester SO22 4HT**

client  
**Oakley**

drawing  
**Conext Elevation North : PROPOSED**

stage  
**Planning Application**

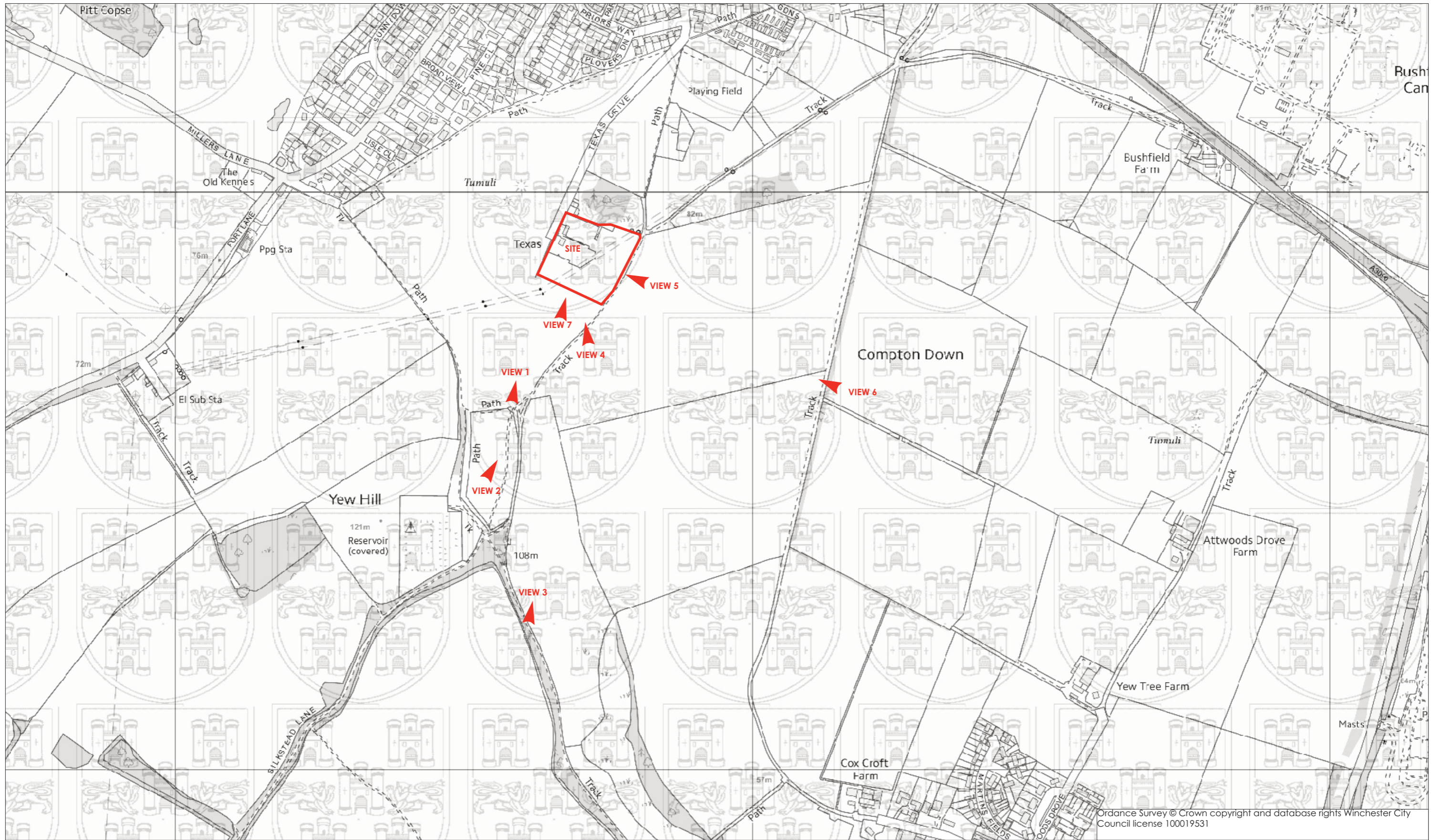
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project <b>Texas, Texas Drive Winchester SO22 4HT</b>	stage <b>Planning Application</b>	 <p>3rd floor Cromwell House 15 Andover Road Winchester SO23 7BT T: 01962 856255 E: info@t2architects.com www.t2architects.com</p>
client <b>Oakley</b>	scale <b>NTS</b>	
drawing <b>Key Plan</b>	date <b>June 2016</b>	
	job no./dwg no./revision <b>1501_24_P2</b>	