



**WINCHESTER DISTRICT LOCAL PLAN PART 2:  
DEVELOPMENT MANAGEMENT & ALLOCATIONS  
EXAMINATION**

**APPENDICES TO  
RESPONSES TO INSPECTOR'S QUESTIONS**

**MATTERS 7/8**

**REPRESENTATION: 50311**

**LAND AT HILLPOUND, SWANMORE**

**FOR DAVID WILSON HOMES**

**Prepared By:**

**Bryan Jezeff Consultancy Ltd**

*Bryan Jezeff Consultancy Ltd  
The Gallery  
3 South Street  
Titchfield  
Hampshire  
PO14 4DL*

*June 2016*

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Bryan Jezeph Consultancy  
The Gallery  
3 South Street  
Titchfield  
Fareham  
Hampshire  
PO14 4DL

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

### GRANT OF PLANNING PERMISSION

Case No: 15/01693/FUL  
W Ref No: W04881/18  
Grid Ref: 457766  
115689

**Erection of 91 dwellings with associated parking, access, landscaping, and surface water drainage (AMENDED DESCRIPTION - 4 November - removing reference to local play area)**

### Land At Hillpound The Lakes Swanmore Hampshire

In pursuance of its powers under the above mentioned Act, the Council, as the Local Planning Authority hereby GRANT permission for the above development(s) in accordance with the plans and particulars submitted with your application received on 28 July 2015 and subject to compliance with the following conditions:-

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

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 dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The materials to be used in the construction of boundary walls of the development hereby

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permitted shall match those of the buildings adjacent to which they relate in the street scene. Development shall be carried out in accordance with the approved details.

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

3 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 Part 1, Classes A-H and Part 2 Class A of the Order shall be carried out without the prior written consent of the Local Planning Authority, including:

- Means of enclosure (walls, fences, railings, gates and other boundaries) which are adjacent to the public realm or across access roads and drives)
- Extensions
- Alterations to roofs (include dormer windows)
- Solar panels

Reason: To protect the amenities of the locality and to maintain a good quality environment.

4 The first floor windows to bathroom / shower room accommodation across the development hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, and the glazing shall thereafter be retained in this condition at all times.

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

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order, with or without modification), no openings other than those expressly authorised by this permission shall, at any time, be constructed in the first floor of the side elevations of the dwellings forming the development hereby permitted.

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

6 No development shall take place until details of the attenuation pond features and surrounding open space areas in respect of hard and soft landscape works, internal and boundary treatments have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of the dwellings hereby permitted. These details shall include the following, as relevant:

- existing and proposed finished levels or contours,
- means of enclosure, including any retaining structures and the alignment, height and materials of all walls and fences and other means of enclosure.
- pedestrian access, servicing and circulation areas,
- hard surfacing materials:
- proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):

- retaining walls / culvert openings for supporting water fringe plant life and the type of plant life to be supported:

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:
- implementation programme

Reason: To improve the appearance of the site in the interests of visual amenity and to ensure that the site responds to its context.

7 All hard and soft landscape works shall be carried out in accordance with the approved landscape details and the awaited attenuation pond feature details as part of the above condition prior to the occupation of any of the units hereby approved in accordance with the implementation programme to be approved.

If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

8 No development or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement.

Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work

- No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Appraisal and Method Statement.
- Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Method Statement shall be agreed in writing to the Local Planning Authority.
- The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate.

Reason: To improve the appearance of the site in the interests of visual amenity and to ensure that the site responds to its context.

9 Prior to commencement, details of biodiversity enhancements to be incorporated into the development shall be submitted for approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

Reason: To maintain, protect and enhance biodiversity in accordance with Policy CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy and the Natural Environment and Rural Communities Act 2006

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 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 cleared sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety

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

Reason: In the interests of highway safety.

12 The parking areas including the garages shall be provided in accordance with the approved plans before the dwellings associated with their use are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling house as a residence.

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

13 Before the development hereby approved is first brought into use, visibility splays of 2.4 metres by 120metres (to a point measured 1 metre within the road from the edge of carriageway) shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times.

Reason: In the interests of highway safety.

14 Details of the width, alignment, gradient and type of construction proposed for the roads and footways including all the relevant cross-section and longitudinal sections showing the existing and proposed levels together with the details of street lighting and the method of disposing of surface water, and details of a programme for the making up of the roads and footways shall be submitted to and approved in writing by the Local

Planning Authority before development commences. The agreed details shall be fully implemented before the use hereby approved is commenced.

Reason: To ensure that the roads are constructed to a standard, which may allow them to be taken over as a publicly maintainable highway.

15 The roads and footways shall be laid out and made up in accordance with the specification, programme and details to be approved by the Local Planning Authority. No dwelling erected on the land shall be occupied until there is a direct connection from it completed to the approved specification [less the final carriageway and footway surfacing] to an existing highway.

Reason: To ensure that the roads and footways are constructed to a satisfactory standard.

16 Prior to work commencing on the site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details;

General:

- Phases of development.
- Code of Construction Practice for all works and operations on the site
- Use of fences and barriers to protect adjacent land
- Measures to be undertaken to minimise impacts on surrounding land
- Timetable and dates for stages of the development, including land restoration at the completion of construction works.

Environmental:

- Dust suppression, mitigation and avoidance measures
- Measures for minimising construction waste and provision for the re-use and recycling of materials which shall be used in the construction of the development.
- Noise reduction measures, including use and details of acoustic screens and enclosures, the type of equipment to be used and their hours of operation
- Floodlighting and security lighting. (note: this must be directed in such a way as not to cause nuisance to adjoining properties or adjacent highway)

Ecological:

- Timing restrictions for staged removal of any vegetation so as not to conflict with breeding seasons
- Measures to be taken to prevent contaminants from entering watercourses or the water environment

Transportation:

- A traffic management plan for construction vehicles entering and leaving the site, including times of movement so as to avoid peak period traffic
- Measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway.
- Provisions to be made for the parking and turning of operative and construction vehicles during the period of development including times of movement so as to avoid peak period traffic, neighbour notification, use of pointsmen etc.



**Subsurface Mineral:**

- a suitable mechanism such as a Material Management Plan for the site to deliver the requirement for ensuring that minerals that can be viably recovered during development operations are recovered, with time scales, on-site and off-site storage facilities, minerals movement plans, etc.

The Construction Management Plan shall be adhered to throughout the duration of the construction period. For the avoidance of doubt, this condition covers all construction and demolition work (including the breaking up and removal of pavement) on the application site.

**Reason:** To ensure that all demolition and construction work in relation to the application is undertaken in a sustainable manner and does not cause materially harmful effects on nearby properties and businesses

17 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

**Reason**

In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

18 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard-standings shall be passed through a oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

**Reason:** To prevent pollution of the water environment.

19 Construction of the development shall not commence until details of the proposed water infrastructure plans have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Flood Authority and Southern Water.

The water infrastructure plans shall include a foul drainage scheme and a surface water drainage scheme for the site, the latter being based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development

The surface water drainage strategy should demonstrate the surface water run-off generated from all storms including the 1 in 2, 1 in 30 and 1 in 100 year 20% critical

storm will not exceed the run-off from the undeveloped site following the corresponding rainfall events. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion. Development shall be undertaken in accordance with the approved details.

Reason: To prevent the increased risk of flooding, both on and off site and to ensure adequate foul drainage and surface water drainage is put in place to serve the development.

20 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:

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

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

21 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.

22 Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

23 Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy, taking account of recent governmental guidance and statements.

24 Prior to works commencing on site a Minerals Planning and Extraction Statement shall be submitted to and agreed in writing by the local planning authority in consultation with the minerals planning authority. The statement shall specify -

- a) a method for ensuring that minerals that can be viably recovered during development operations are recovered and put to beneficial use (such use to be referred to the Mineral Planning Authority for agreement and such an agreement not to be unreasonably refused);
- b) a method to record the quantity of recovered mineral (for use on site);
- c) a suitable mechanism to deliver this requirement with time scales, storage facilities, movement plans, etc.

Reason : To ensure that minerals that can be viably recovered are secured as part of a material management plan for the site in accordance with Policy 15: Safeguarding mineral resources, of the adopted Hampshire Minerals and Waste Plan (2013).

25 The development hereby approved shall be constructed strictly in accordance with the approved plans and supporting documents as received by the Council.

Drawing 1749-001-Rev N - layout plan  
 Drawing 1749-002-Rev G - storey heights  
 Drawing 1749-003-Rev D - external finishes  
 Drawing 1749-004-Rev G - affordable housing  
 Drawing 1749-005-Rev G - external enclosures  
 Drawing 1749-006-Rev G - bin and cycle stores  
 Drawing 1749-007-Rev G - hard surfacing  
 Drawing 1749-008-Rev G - parking strategy  
 Drawing 1749-009-Rev G - open space  
 Drawing 1749-010-Rev E - urban grain  
 Drawing BSH18172-10B - landscape masterplan  
 Drawing BSH18172-11B - landscape proposal sheet 1 to sheet 8  
 Drawing BSH18172-03C - tree protection plan  
 Drawing BSO-E4347-508D - refuse strategy swept path analysis  
 Drawing BSO-E4347-510 - street lighting (Nov 2015)  
 Drawing BSO-E4347-001 - SUDS corridor  
 Drawing BSO-E4347-503C - level strategy layout  
 Drawing BSO-E4347-501E - surface water drainage strategy  
 Drawing BSO-E4347-506 - proposed surface water catchment layout  
 Drawing BSO-E4347-507D - exceedance flows layout

Drawing BSO-A4347-01B - sales arena  
 Drawing 1749-001-Rev H - temporary construction compound & wheelwash location  
 Drawing 1749-SS-004-Rev C - street scene  
 House type drawings

Reason: To ensure the proposal maintains a satisfactory appearance in the interests of the character of the area.

26 Construction of the development shall not commence until details of the proposed water infrastructure plans have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Flood Authority and Southern Water.

The water infrastructure plans shall include a foul drainage scheme and a surface water drainage scheme for the site, the latter being based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development

The surface water drainage strategy should demonstrate the surface water run-off generated from all storms including the 1 in 2, 1 in 30 and 1 in 100 year 20% critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall events. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion. Development shall be undertaken in accordance with the approved details.

Reason: To prevent the increased risk of flooding, both on and off site and to ensure adequate foul drainage and surface water drainage is put in place to serve the development.

#### **Informatives:**

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) and Section 39 of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted. In reaching its decision the Local Planning Authority has taken account of the following National Guidance and development plan policies:-

#### **National Planning Policy Framework.**

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 provided detailed advice on addressing concerns of the inter-relationship with the character of the area, overlooking from the adjacent dwelling house, compressing and shunting the position of the dwellings to enable a landscaped layout to be presented.

### Local Plan and Core Strategy considerations:

#### Winchester District Local Plan Part 1 (LPP1):

DS1 - Development Strategy and Principles  
 MTRA2 - Market Towns and Larger Villages  
 MTRA4 - Development in the countryside  
 CP2 - Housing Provision and Mix  
 CP10 - Transport  
 CP11 - Sustainable Low and Zero Carbon Built Development  
 CP13 - High Quality Design  
 CP14 - Effective Uses of Land  
 CP16 - Biodiversity  
 CP18 - Settlement Gaps  
 CP20 - Heritage and Landscape Character

#### Winchester District Local Plan 2006 (Review) - saved policies:

DP3 - General Design Criteria  
 DP4 - Landscape and the Built Environment  
 DP5 - Design and Amenity Open Space  
 T2 - Development Access  
 T3 - Development Layout  
 T4 - Parking Standards  
 HE1 - Archaeological Site Preservation  
 HE2 - Archaeological Site Assessment

#### Winchester District Local Plan Part 2 (LPP2):

SW1 - The Lakes Housing Allocation

In considering the relevance of these policies and how the proposed development satisfies them the Council has identified the main issues to be whether the scheme is acceptable in terms of principle, amount, design, layout, scale, form, height, traffic generation, sustainability, impact on neighbouring land and affordable housing as part of a comprehensive design concept. These issues are in the Council's consideration satisfactorily addressed by the proposed development (subject to conditions) because it would:-

- (a) Make more efficient use of land.
- (b) comprise a design, layout, scale, form and height of development that will contribute to the local character that is appropriate and complementary to the character and context of the village and rural location
- (c) enable a sustainable form of building design and delivery to be provided

The decision to grant planning permission has been taken because the development is generally in accordance with the provisions of the recently adopted development plan LPP1 and saved policies of the Adopted Winchester District Local Plan Review 2006. The objectives of the development plan seek to improve the provision of housing for all sectors and the proposed development is considered to meet these objectives without materially harming matters of consideration set out within the listed policies.



All building works including demolition, construction and renovation operations; the operation of any machinery or plant, including hand power tools and deliveries taken or dispatched 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.

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.

This planning permission does not purport or seek to purport the granting of consent for the removal of any trees or hedgerows, including trees within hedgerows other than as agreed as part of the landscape strategy forming part of this decision.

The Arboricultural Information required should include a tree survey to identify all the trees onsite and those on adjacent land that may be affected. In addition to this, an Arboricultural Impact Assessment and Method Statement will be required, which should discuss the viability of the scheme in relation to trees, and demonstrate sufficient protection during any development and post occupancy.

It is a requirement that these documents are to be in accordance with BS5837:2012 - Trees in relation to design, demolition and construction or any subsequent revisions. A copy of this document is available for public viewing in reception at the Winchester City Council offices.

It is recommended that the Tree Officer is informed once protective measures have been installed so that they can be inspected and deemed appropriate. Evidence may be required to demonstrate that the protective measures have been installed prior to any demolition, construction or groundwork commences on the site and to show that it has remained until the development is completed before the relevant condition may be discharged.

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 Street, James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962 858688), or [www.southernwater.co.uk](http://www.southernwater.co.uk).

The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute

commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

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

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - [www.winchester.gov.uk](http://www.winchester.gov.uk)

**Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). The total amount due upon commencement of development is £697486.33. Relief from CIL has been granted on all or part of this development.**

**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.**

**Julie Pinnock BA (Hons) MTP MRTPI**

Head of Development Management

10 March 2016

**APPENDIX 2: Copy of approved site layout plan Revision N**







## **APPENDIX 3: Overall Masterplan**



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