

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Grant of Planning Permission

Planning Application Reference: **18/01144/REM**

Decision Date:- 24.09.2018

Winchester City Council **GRANTS** planning permission

for Application for reserved matters planning permission for the erection of 66 dwellings, with associated access via Tangier Lane, associated parking provision, landscaping and public open space pursuant to planning permission 16/01327/OUT (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)

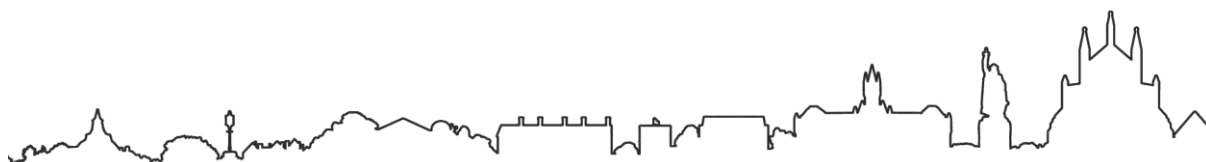
at **Land To The East Of Tangier Lane, Bishops Waltham, Hampshire** subject to the following conditions:

1. The development to which these reserved matters and accompanying details relate shall be begun not later than two years from the date of this permission, in accordance with the time scale as established with the Outline Planning Permission 16/01327/OUT Condition 02.

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

2. The implementation of development shall be carried out in accordance with the following amended plans and documents:

- 'Location Plan' [reference 2572-A-1001-A] received 04.05.2018,
- Transport Assessment (May 2016) received 13.06.2016,
- Transport Assessment (April 2018) received 04.05.2018,
- Affordable Flats - Plots 50-55 Plans and Elevations [drawing 2572-C-3060-F] received 31.07.2018,
- Affordable Housing - Plots 30 - 33, 56 - 59 Plans and Elevations [drawing 2572-C-3050-C] received 31.07.2018,
- Affordable Housing - Plots 36-39 Plans and Elevations [drawing 2572-C-3055-C] received 31.07.2018,
- Affordable Housing - Plots 44 - 46 Plans and Elevations [drawing 2572-C-3057-D] received 31.07.2018,



- Laurel - Plot 66 [drawing 2581-C-3012-B] received 31.07.2018,
- Laurel - Plots 1, 4, 5, 11, 21 Plans and Elevations [drawing 2572-C-3011-D] received 31.07.2018,
- Mortimer - Plots 2, 7, 28 Plans and Elevations [drawing 2572-C-3035-C] received 31.07.2018,
- Mortimer - Plots 3, 15, 27, 64 Plans and Elevations [drawing 2572-C-3036-C] received 31.07.2018,
- Site Layout [drawing 2572-A-1005-Q] received 31.07.2018,
- Site Layout - Dwelling Distribution [drawing 2572-A-1015-C] received 31.07.2018,
- Site Layout - Parking Distribution [drawing 2572-A-1016-C] received 31.07.2018,
- Site Layout - Refuse Collection Strategy [drawing 2572-A-1017-C] received 31.07.2018,
- Site Sections AA, BB and CC [drawing 2572-A-1010-C] received 31.07.2018,
- Site Sections DD & EE [drawing 2572-A-1011-C] received 31.07.2018,
- Whimberry Plot 16 Plans and Elevations [drawing 2572-C-3000-D] received 31.07.2018,
- Whimberry Plot 22 Plans and Elevations [drawing 2572-C-3002-E] received 31.07.2018,
- Whimberry Plots 12, 14, 19, 40 Plans and Elevations [drawing 2572-C-3001-D] received 31.07.2018,
- Chalgrove Plots 6, 8 Plans and Elevations [drawing 2572-C-3007-B] received 04.05.2018,
- Chalgrove Plot 65 Plans and Elevations 2572-C-3008-B] received 04.05.2018,
- Laurel Plots 9, 20, 23, 24, 29, 41 Plans and Elevations [2572-C-3010-C] received 04.05.2018,
- Braxted Plot 63 Plans and Elevations [drawing 2572-C-3015-B] received 04.05.2018,
- Braxted Plots 10,13,62 Plans and Elevations [drawing 2572-C-3016-C] received 04.05.2018,
- Walberswick Plot 25 Plans and Elevations [drawing 2572-C-3020-C] received 04.05.2018,
- Walberswick Plot 26 Plans and Elevations [drawing 2572-C-3021-C] received 04.05.2018,
- Broadwell Plots 17, 18, 42-43 Plans and Elevations [drawing 2572-C-3025-B] received 04.05.2018,
- Thatch Plots 60,61 Plans and Elevations [drawing 2572-C-3030-B] received 04.05.2018,
- Affordable Housing Plots 47 - 49 Plans and Elevations [drawing 2572-C-3051-B] received 04.05.2018,
- Affordable Housing Plots 34, 35 Plans and Elevations [drawing 2572-C-3057-C] received 04.05.2018,
- Construction Environmental Management Plan [Reference A107769] dated 30.04.2018 and received 04.05.2018,
- Drainage Strategy Plan [drawing 171590/SK02 Rev P2] received 04.05.2018,
- External Level Strategy [drawing 171590/SK03 Rev P2] received 04.05.2018,
- Habitat Management and Mitigation Strategy under project number ECO-3173 dated May 2018 and received 04.05.2018,
- Planning Statement dated May 2018 and received 04.05.2018,
- Technical Drainage Overview dated 05.04.2018 and received 04.05.2018,

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- Arboricultural Method Statement by Aspect Arboriculture [reference 9009_AMS.001 Rev C] dated May 2018 and received 04.05.2018,

Reason: In the interests of proper planning and for the avoidance of doubt.

3. Notwithstanding the Materials and Boundary Key on drawing 2572-A-1018-C and the superseded 2572-A-1018-B, details and samples of the external surfaces of the dwellings and garages hereby approved must be submitted to and approved in writing by the Local Planning Authority.

The external surfaces of the dwellings and structures hereby permitted must follow the following specifications:

- The roofs materials on all buildings shall be clay plain tiles and/or natural slates.
- Where hipped roofs with clay tiles are proposed then clay bonnet hip tiles shall be used.
- The roof materials of porches shall be the same as those proposed on the host building or they shall be lead or an alternative metal. No GRP shall be used.
- Notwithstanding the visual error on drawings 2572-C-3057-D (AH plots 44 - 46), 2572-C-3001-D (Whimberry 12, 14, 19 and 40) and 2572-C-3000-D (Whimberry 16), the eaves and bargeboard details shall be a matt dark grey or matt black colour.
- All rainwater goods shall be black.
- Window frames and door frames shall be recessed by a minimum of 75mm.
- Window frames and door frames and doors shall be timber or metal.
- Garage doors shall be of a vertical slatted design.
- Brick elevations shall be of a 'soft stock' type and a variety of brick colours must be used throughout the site. A plan showing the type of brick used on each plot must be submitted.
- Only 'natural' timber cladding shall be used on elevations (unless otherwise agreed in writing).
- Only clay plain tiles shall be used on elevations.
- Where garden boundaries are adjacent to the public realm they shall be constructed as walls.
- The external materials of the chimneys shall be the same as those used on the host building and no GRP shall be used.

Reason: To ensure compliance with condition 07 of the outline consent and to ensure that submitted drawings are constructing, allowing a high quality development on the site.

4. Prior to the commencement of development, details regarding the hard and soft landscaping of the development must be submitted to an approved in writing by the Local Planning Authority.

The details must include:

- The materials to be used for paved and hard surfaces including finished ground levels, the location and design of street furniture, signs, lighting, refuse storage units and other minor structures to be installed thereon,
- Contours for all landscaping areas,
- Details of all trees, bushes and hedges which are to be retained,

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- The position, design and materials of all proposed boundary treatments (including all walls, fences and other means of enclosure),
- Tree pit details, sections and detail plans showing how any street tree planting will thrive and grow without lifting adjoining paving,
- The location of all landscape planting in relation to existing and proposed underground services,
- Planting plans and schedules of plants noting species, sizes and numbers/densities of the trees and shrubs to be planted,
- Lighting to roads, footpaths and other public areas,
- A written specification for the landscape works (including a programme of implementation, cultivation and other operations associated with plant and grass establishment and,
- Details for the strengthening of the landscaping on the southern boundary of the site.

Hard landscaping works must be completed prior to the occupation of the dwellings.

Soft landscaping works must be carried out in the first planting season following the occupation of the first dwelling or completion, whichever is the sooner.

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 satisfactory comprehensive development and proper planning of the area.

5. Prior to the commencement of development, a detailed surface water and foul drainage scheme must be submitted and approved in writing by the Local Planning Authority. The scheme shall include detailed engineering plans, supporting calculations, materials plans and cross sections for all required infrastructure.

The scheme shall be managed and maintained in accordance with the approved details.

Reason: To ensure that the development is properly drained

6. The Construction Environmental Management Plan [reference A107769] dated 30th April 2018 and received 04.05.2018 must be adhered to throughout the duration of the construction period.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses and to ensure satisfactory comprehensive development and proper planning of the area.

7. 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 the dwellings shall meet the 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

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approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure compliance with policy CP11 of LPP1.

8. Within three months of the last completion of the development hereby approved, detailed information (in the form of SAP 'as built' stage data and a BRE water calculator) demonstrating that all homes meet the Code 4 standard for energy and water (as defined by ENE1 and WAT1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

Reason: To ensure compliance with policy CP11 of LPP1.

9. The recommendations, mitigation and ecological enhancement measure contained within the Habitat Management Strategy under file reference 3173 HabManStrat vf1 LB dated 04.05.2018 and received 04.05.2018 must be adhered to.

Reason: In the interests of biodiversity enhancement in compliance with policy CP16 of LPP1.

10. Prior to the occupation of the development, details of the works to the public right of way (Bishops Waltham Footpath 43) where it is intersected by the estate access road in the north-west corner of the site must be submitted to and approved in writing by the Local Planning Authority.

This must include:

- Details of hard surfacing materials on the crossing section,
- Details of signage to be used at the crossing section.

Development must then be completed in accordance with the approved details and completed prior to the first occupation of the scheme.

Reason: To ensure the access point is completed satisfactorily as the access to the development crosses Bishops Waltham Footpath 43.

11. Prior to the occupation of development, details of the works for the new Cycleway traversing the site must be submitted to and approved in writing by the Local Planning Authority.

Details must show the exact location and any associated features (such as gates and fences) for the route's entrance to the site in the north-eastern corner and where it exits the site to the west to re-join the Right of Way.

Reason: To ensure the cycle route through the site meets existing infrastructure.

12a. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Method Statement by Aspect Arboriculture [reference 9009_AMS.001 Rev C] dated May 2018 and received 04.05.2018 and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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12b. 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 and in accordance with 9009_AMS.001 Rev C written by Aspect Arboriculture. Telephone 01962 848210,
- prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848210.

12c. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Method Statement by Aspect Arboriculture [reference 9009_AMS.001 Rev C] dated May 2018 and received 04.05.2018.

Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Method Statement 3039-032 written by Christopher Stringer, Shawyers shall be agreed in writing to the Local Planning Authority.

12d. 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.

12e. A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree officer.

12f. Site supervision shall be undertaken by the appointed arboriculturalist in agreement with the site manager at appropriate intervals throughout the construction process. Updating verbal or written reports shall be communicated with the LPA where appropriate. Telephone 01962 848210.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

13. No development shall commence until full details of means of surface water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained.

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14. No development shall commence until full details of the proposed means of foul and surface water sewage disposal have been submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development.

Reason: To ensure that the development is properly drained.

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



Notes To Accompany Planning Decision Notice

General Notes for Your Information:

1.

In accordance with paragraph 38 of the NPPF (July 2018) , Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

2.

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

Winchester Local Plan Part 1 – Joint Core Strategy

DS1: Development Strategy and Principles;
 MTRA1: Development Strategy for Market Towns and Rural Area;
 MTRA2: Market Towns and Larger Villages;
 MTRA 4: **Development in the Countryside**;
 CP1: Housing Provision, Housing Priorities and Housing Mix;
 CP2: Housing Provision and Mix;
 CP3: Affordable Housing Provision on Market Led Housing Sites;
 CP7: Open Space, Sport and Recreation;
 CP10: Transport;
 CP11: Sustainable Low and Zero Carbon Built Development;
 CP13: **High Quality Design**;
 CP14: The Effective Use of Land;
 CP15: **Green Infrastructure**;
 CP16: **Biodiversity**;
 CP17: Flooding, Flood Risk and the Water Environment;
 CP20: **Heritage and Landscape Character**;
 CP21: Infrastructure and Community Benefit.

Winchester Local Plan Part 2 – Development Management and Site Allocations

BW3: The Vineyard/Tangier Lane Housing Allocation;
 DM1: Location of New Development;
 DM2: Dwelling Sizes;
 DM4: Protecting Open Areas;
 DM5: Open Space Provision for New Developments;
 DM13: Masterplans;
 DM14: Local Distinctiveness;
 DM15: Site Design Criteria;
 DM16: **Site Development Principles**;
 DM17: Access and Parking;
 DM22: Rural Character;
 DM23: **Special Trees, Important Hedgerows and Ancient Woodlands**;
 DM25: Archaeology.

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3.

This permission is granted for the following reasons:

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

4.

All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or 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.

5.

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.

6.

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, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7.

Please be advised that Building Regulations approval is required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

8.

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.

9.

This permission does not address other conditions of the Outline Planning Permission, notably Conditions 06, 07d, 08a, 09, 10, 11, 14, 15, 16, 17, 18, 19 and 20.

Please note that this application is subject to the payment of Community Infrastructure Levy (CIL).

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.
- 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.

