Beacon Authority 2008-2009 Tackling Climate Change

Development Control
Application No O/10/67643
Your ref
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14 March 2012

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2010

Application No. O/10/67643

In pursuance of their powers under the above Act and in accordance with your application received on 10 August 2010, with subsequent amendments dated

04/11/2010, 11/11/2010, 08/02/2011, 15/02/2011

the Council, as Local Planning Authority hereby GRANT OUTLINE PERMISSION for the following:

Description: Outline: Construction of shared care dementia living scheme comprising 35No. Shared care units and 20No. Bedroom nursing wing with associated vehicular/pedestrian access, car parking, amenity space, landscaping and secure perimeter fence. Change of use of 0.9 hectare grazing land to Public Open Space.

Site: Land Adjacent To Penarth House, Otterbourne Hill, Otterbourne, Winchester

Subject to due compliance with the following conditions:

(1) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans LOC1C, BLO1B, Su01, Su02, Su03, 01D, 02C, 03C, 04C, 05D, 06D, 07D, 08A, 09A, 10A, 12A, 13A, 14, 15D, 17, 18, 19, 20, 21A, BRS.1999_28-2. Reason: For the avoidence of doubt and the interests of proper planning.

(2) The development hereby permitted must be begun either before the expiry of three years from the date of the grant of this outline permission, or the expiration of two years from the final approval of the reserved matter or, in the case of an approval on different dates, the final approval of the last such matter to be approved. Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(3) In the case of any reserved matter, application for approval must be made not later than three years after the date of the grant of this outline permission. Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(4) Plans and particulars showing the detailed proposals for all the following aspects of the development ('the reserved matters') must be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The development must then accord with these approved details. Reason: In order that these matters may be considered by the Local Planning Authority.

a: The landscaping of the site

(5) Plans and particulars showing the following aspects of the development must be submitted to, and approved in writing by, the Local Planning Authority before the development is commenced. The development must then be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority:

a. The timing and detail of the vehicular and pedestrian accesses for the public open space.

b. The timing and detail of the open space works, including ground modelling, drainage and bidoversity provisions.

c: The full details of foul sewerage disposal.

d: The provision to be made for street lighting and/or external lighting.

e: The provision to be made for the storage of bicycles.

f: Full and final details of levels on and adjoining the site.

g: The provision to be made for the access to and use of buildings and spaces by the disabled, and the provision of car parking spaces for the disabled.

Reason: In order to provide properly planned development.

(6) Details and samples of all external facing and roofing materials must be submitted to and approved in writing by the Local Planning Authority before development commences. The development must then accord with these approved details. Reason: To ensure that the external appearance of any building is satisfactory.

(7) Details of the proposed treatment of the site boundaries must be submitted to and approved in writing by the Local Planning Authority and the approved measures must be implemented by a date to be agreed with the Local Planning Authority. Reason: In the interest of amenity.

(8) Details of external security lighting, lockable gates and all other crime prevention proposals must be submitted to and approved in writing by the Local Planning Authority before development commences. The development must then accord with these approved details. Reason: In the interests of crime prevention.

(9) The landscape scheme to be approved must be completed within 12 months from the completion of the last building shell, or by such later date as the Local Planning Authority may determine. Any trees or plants which die, are removed or become seriously damaged or diseased during the first five years must be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. Reason: To ensure that the appearance of the development is satisfactory.

(10) No construction or demolition work must take place except between the hours 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays unless agreed, in writing, with the Local Planning Authority. Reason: To protect the amenities of the occupiers of nearby dwellings.

(11) No burning of materials obtained by site clearance or from any other source to take place on this site during the construction and fitting out process without the prior written consent of the Local Planning Authority. Reason: In the interests of amenity.

(12) Prior to the commencement of the development hereby approved (or in accordance with a timetable to be agreed in writing with the Local Planning Authority), a Code for Sustainable Homes interim stage certificate and report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' to BREEAM Very Good are to be met shall be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(13) Prior to the occupation of buildings within the development hereby approved (or prior to a later date as otherwise agreed by the Local Planning Authority) a BREEAM final stage certificate and report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' have been met to BREEAM Very Good shall be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(14) Details of the type of construction proposed for the roads and footway/cycleways proposed, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels together with details of street lighting and the method of disposing of surface water and details of the programme for the making up of the roads and footways must be submitted to and approved by the Local Planning Authority in writing before development commences. Reason: To ensure that the roads are constructed to a standard which will enable them to be taken over as publicly maintainable highways.

(15) The vehicular access (including any construction vehicle access) must be at the point marked 'X' on the approved plan. Reason: In the interests of highway safety.

(16) Measures to be submitted to and approved in writing by the Local Planning Authority, to prevent mud being deposited on the public highway by vehicles leaving the site must be implemented during the whole of the construction period. No vehicle shall leave the site unless its wheels have been sufficiently cleaned to prevent mud being deposited on the public highway. Reason: In the interests of highway safety.

(17) The existing site access/egress arrangement to the site must be stopped up and abandoned and footway and verge crossings shall be reinstated in accordance with details to be approved by the Local Planning Authority, before any other works on the site are commenced. The existing access/egress shall not be used for construction vehicles. Reason: In the interests of highway safety.

(18) Details of Contractor's site hut location and any areas designated for the storage of building materials must be submitted to and approved in writing by the Local Planning Authority before development commences. The development must then accord with these approved details. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 site huts and building materials must not be stored elsewhere on the site without the prior written permission of the Local Planning Authority. Reason: To ensure that natural features are not damaged.

(19) No work shall commence on site until the following has been submitted to, and approved in writing by the Local Planning Authority:

a. A Desk Study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated land Reports Nos. 1 and 2, and BS10175:2001 Investigation of potentially contaminated sites - Code of Practice, and, unless otherwise agreed with the Local Planning Authority;

b. A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the submitted desk study in accordance with BS10175:2001, and unless otherwise agreed with the Local Planning Authority;

c. A detailed scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: In the interests of amenity

(20) The development hereby permitted shall not be occupied / brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition19(c) that any remediation scheme required and approved under the provisions of condition 19(c) has been implemented fully in accordance with the approved details (unless varied with the written permission of the Local Planning Authority in advance of implementation).Unless agreed in writing with the Local Planning Authority such verification shall comprise:

a. As built drawings of the implemented scheme;

b. Photographs of the remediation works in progress;

c. Certificates demonstrating that imported and / or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 19(c).

Reason: In the interests of amenity.

(21) Development shall not begin until the developer has carried out a dust assessment, and prepared a scheme of works to deal with dust from the site that adequately takes into account the impact of site preparation and construction works, on existing and proposed dwellings, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall detail the mitigation measures for protecting existing and proposed dwellings from dust, and otherwise as deemed necessary by the Local Planning Authority. The assessment should have due regard to current advice and guidance. Reason: To protect the amenities of occupiers of any nearby premises from dust.

A useful approach is provided by: The Greater London Authority and London Councils in; 'The control of dust and emissions from construction and demolition Best Practice Guidance'.
http://www.london.gov.uk/mayor/environment/air_quality/docs/construction-dust-bpg.pdf

(22) Before development commences, a plan must be submitted to and approved in writing by the Local Planning Authority showing a line of protective fence around all trees, hedges and other natural features to be retained. Fencing shall be weld mesh panels secured to a scaffold framework in accordance with BS5837. No excavation shall commence on the site until the fencing has been erected and the fencing must be maintained during the course of works on the site. No access by vehicles or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fencing area. Note: The card accompanying this notice should be sent to the Development Control Section when the protective fencing is in place and development must not commence until the fencing has been inspected and the card signed by the inspecting officer. Reason: To ensure the natural features are protected from damage throughout the construction period.

(23) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. 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. Reason: To reduce the surface water run off from the site, prevent an increased risk of flooding, to improve and protect water quality, and to ensure future maintenance of the surface water drainage system.

(24) Details of the type and timing of any piling works shall be submitted to and approved in writing by the Local Planning Authority before development commences and no driven piles shall be used. Reason: In the interests of residential amenity.

(25) No development shall commence until full details and specifications of the off-site highway works, as shown in principle on the Transport Statement Drawing No 924-SK-01 RevB, have been approved in writing by the local planning authority in consultation with the highway authority. No part of the development shall be occupied until the approved off-site highway works have been completed. Reason: In the interests of highway safety.

(26) Notwithstanding the provisions of the Town and Country Planning Town and Country Planning Use Classes Order 1987 (as amended 2005) (or any order revoking, re-enacting or modifying that Order), the use of the development hereby permitted shall be as a Class C2 and C3 Shared Care Dementia Living Scheme only. Reason: In order to comply with the special planning circumstances given in justifying the dvelopment in its countryside location.

(27) Each unit of the residential home hereby permitted shall be occupied only by: (i) person(s) with dementia type illnesses as confirmed by a suitably qualified independent medical practioner; (ii) persons living as part of a single household with such a person or persons detailed in (i); or (iii) persons who were living as part of a single household with such a person or persons detailed in (i) who have since died within the previous 12 months. Reason: In order to secure properly planned development in accordance with the details submitted with the application.

(28) The development hereby permitted must not be brought into use until the areas shown on the approved plan for the parking and turning of vehicles shall have been made available, surfaced and marked out, and the areas must be retained, including those areas marked out on the plan as being unallocated, in a condition to the satisfaction of the Local Planning Authority, and reserved for that purpose at all times. Reason: In the interests of highway safety/amenity.

(29) Before any development is commenced a noise and vibration assessment shall be carried out to assess the impact of construction noise on nearby noise sensitive development, and a report of its findings submitted to the Local Planning Authority for approval. (The report shall include a scheme of mitigation measures for protecting the proposed dwellings from noise and vibration as deemed necessary by the Local Planning Authority). The assessment should have due regard to the advice and guidance contained in British Standard BS5228:2009 Pts 1 and 2. Reason: to ensure acceptable levels of noise within the development.

(30) The development shall be implemented in full compliance with the recommendations and Reptile Mitigation Strategy of the submitted EPR Ecological Appraisal and Protected Species Survey Final Report July 2010. Reason: to ensure adequate biodiversity protection and mitigation.

(31) The air quality mitigation provisions recommended within the submitted Accon UK Air Quality Assessment dated 20/07/2010 shall be fully implemented before Block A is first occupied. Reason: to minimise future occupiers' exposure to air pollution.

(32) The siting and installation of plant and equipment, including process exhausts, which gives rise, or is likely to give rise, to emissions to air of either ash, dust, fume, gases, grit, odours or soot shall be approved in writing by the Local Planning Authority. Any plant or equipment used for the purpose of air conditioning shall be provided with suitable acoustic attenuation, or sited at agreed locations, to mitigate

the effects of noise as approved in writing by the Local Planning Authority. Reason: in the interests of residential amenity.

(33) Before any development is commenced a noise assessment shall be carried out and a report of its findings submitted to, and approved in writing by, the Local Planning Authority (the report shall include a scheme of mitigation measures for protecting the proposed development from noise as deemed necessary by the Local Planning Authority, and so as to comply with the requirements of policy 31ES of the local plan.). The development hereby permitted shall not be occupied / brought into use until verification that the approved scheme required has been fully implemented (unless varied with the written permission of the Local Planning Authority in advance of implementation) has been submitted to, and approved in writing by, the Local Planning Authority. Reason: In the interests of residential amenity.

(34) No development shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been submitted to and approved by the Local Planning Authority. Reason: in the interests of archaeology.

NOTE TO APPLICANT: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety, and it is in accordance with the policies and proposals of the development plan, as listed below, and after due regard to all other relevant material considerations the local planning authority is of the opinion that permission should be granted.

The following development plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review 2001-2011 1.CO(35), 23.NC, 24.NC (bidodiversity); 30.ES, 31.ES (Noise), 33.ES (Air quality), 34.ES (CO2 emissions), 35.ES (contamination), 37.ES (sustainability), ,45.ES (sustainable drainage), 59.BE (good design), 62.BE (disabled access), 63.BE (car park design), 100.T (Transport), 101.T (transport contributions), 102.T (new accesses), 103.T (green travel plans), 104.T (parking), 149.OS (open space), 165.TA (public art), 190.IN (adequate infrastructure), 191.IN (contributions to infrastructure).

Under the Town and Country Planning [Fees for Applications and Deemed Applications][Amendment][England] Regulation 2008, a fee is now required for Discharge of Condition Applications.
N.B. Conditions not fully discharged, invalidate the planning permission.

The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.



C L Thomas
Head of Development Control

N.B. See Enclosed Notes (POL)