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Development Control

Application No F/10/68325

Your ref

Please ask for Rachel Illsley

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06 July 2011

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

Application No. F/10/68325

In pursuance of their powers under the above Act and in accordance with your application received on 13 December 2010, with subsequent amendments dated

17/02/2011, 21/02/2011, 12/05/2011, 17/05/2011, 10/06/2011

the Council, as Local Planning Authority hereby PERMIT the following :

Description: Construction of 10 no. two bed bungalows with new access, car parking and cycle stores and reinforced earth bank, following demolition of 10 no. existing bungalows and felling of trees.
Site: 1-6 Winchester Close & 10-13 Wykeham Close, Netley Abbey, Southampton, SO31 5ES

Subject to due compliance with the following conditions:

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 960-PD-101-E, 960-PD-102-B, 960-PD-103-B, 960-PD-104-A, 960-PD-105-A, 960-PD-110-C, 960-PD-111-D, 960-PD-112-A, 960-PD-113, 960-PD-114, 910/01-B, Existing Survey. Reason: For the avoidance of doubt and in the interests of proper planning.

(2) The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(3) 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.

(4) 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.

(5) Prior to the commencement of the development hereby permitted, a construction management plan shall be submitted to the Local Planning Authority, detailing the type of equipment to be used on site, the method of delivery of materials and the proposed parking arrangements for demolition and construction operative vehicles and plant, which wherever possible, should be contained within the site. This information must be approved in writing and the development carried out in accordance with the approved details. Reason: In the interest of amenity and highway safety.

(6) No construction or demolition work must take place except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.

(7) Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before the building hereby approved is occupied. Reason: To ensure satisfactory provision of foul and surface water drainage.

(8) Developments shall not begin until a scheme of works to deal with dust from site has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall then be implemented and retained to the satisfaction of the Local Planning Authority. Reason: To protect the amenity of the occupiers of adjoining properties.

(9) 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.

(10) The landscape scheme 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.

(11) Notwithstanding the provisions of the Town and Country Planning General Permitted Development (Amendment) (No 2) (England) Order 2008, the buildings must not be extended or altered and there shall be no structures erected within the curtilage without the prior written permission of the Local Planning Authority. Reason:

(12) 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.

(13) The existing buildings must be demolished and all resultant materials removed from the site before development pursuant to this permission is commenced. Reason: The site is not suitable to accommodate both the existing and the proposed buildings.

(14) The access, including any footway crossing and verge crossing, must be constructed in accordance with details to be approved in writing by the Local Planning Authority. The permission does not authorise the undertaking of any works involving excavations in the carriageway, footway or verge. A road opening permit should be obtained from Hampshire County Council at Hampshire Highways, Eastleigh Civic Offices, Leigh Road, Eastleigh, SO50 9YN. Reason: To provide satisfactory access.

(15) The development hereby permitted must not be brought into use until the areas shown on the approved plan for the parking 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.

(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) Prior to the occupation of the buildings within the development hereby approved, a Code for Sustainable Homes final stage certificate and report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted SPD, 'Environmentally Sustainable Development', have been 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 SPD, 'Environmentally Sustainable Development'.

(18) Prior to the commencement of the development hereby permitted, full details of the proposed cycle storage provision and communal refuse collection point shall be submitted to and approved in writing by the Local Planning Authority. Implementation shall be in accordance with the approved design and provision made on site prior to the first occupation of the dwellings. Reason: To ensure satisfactory provision.

(19) The development shall constitute affordable housing in its entirety in perpetuity, with the exception of the following events with respect to that specific plot(s):

- (a) if the affordable housing unit is transferred to the tenant thereof under the Right to Buy provisions of the Housing Act 1985 or the Right to Acquire provisions of the Housing Act 1996 (or any subsequent legislation amending or replacing the same);
- (b) if in respect of any affordable housing unit held under a shared ownership lease the tenant has staircased to a 100% share in the unit;
- (c) if any mortgagee or chargee of the affordable housing unit has exercised a power of sale;
- (d) if the affordable housing unit is purchased under a shared equity scheme with a Registered Provider and the unit is then sold by its original purchasers.

Reason: to maintain the stock of affordable housing.

(20) Prior to the commencement of the development hereby permitted, a detailed method statement for the translocation, protection and long term management of slow-worms must be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall proceed in accordance with the statement. Reason: to safeguard reptile species (PPS9).

(21) Prior to the commencement of the development hereby permitted, a detailed method statement for the translocation, creation and long term management of the acid grassland habitat must be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall proceed in accordance with the statement. Reason: to conserve biodiversity (PPS9).

(22) The development hereby permitted must proceed in accordance with the recommendations outlined in the submitted Bat Mitigation proposals (Ecological Consultancy Services, February 2011). Reason: To ensure the protection of bats using the site.

(23) No clearance of vegetation shall occur on the site during the bird-nesting season (between 1st March and 31st August inclusive in any given year), unless supervised by an appropriately qualified ecologist. Reason: To prevent harm to breeding birds.

(24) Site clearance and construction works should be undertaken only after foxes have been excluded from the site. Prior to any site clearance or commencement of the development, a method statement detailing how foxes will be humanely removed and re-homed should be submitted to and approved in writing by the Local Planning Authority. The development must then proceed in accordance with this. Reason: to ensure the protection of foxes using the site.

(25) The development hereby permitted must proceed in accordance with the measures outlined in the submitted T P Marsh Arboricultural Method Statement, (ref: Wykeham Road/Winchester Close - Nov 2010). Reason: To ensure the protection of trees retained on site.

(26) Prior to the commencement of the development hereby permitted, an on-site meeting shall take place with the Council's Tree Services Manager, the site manager and the the developers' Arboricultural Consultant to agree the location and specification of the tree protection fencing. Reason: To ensure the protection of trees retained on site.

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

(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 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: to minimise the risks of pollution and to ensure the site is satisfactorily de-contaminated.

(28) 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 condition 27 (a) that any remediation scheme required and approved under the provisions of condition 27 (c) has been implemented in full 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) 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 approved scheme under condition 27 (c). Reason: to minimise the risks of pollution and to ensure the site is satisfactorily de-contaminated.

(30) Prior to the commencement of the development hereby permitted, full details of the proposed timberlok retaining structure, including elevations, sections, method and timetable of construction and proposed planting shall be submitted to and approved in writing by the Local Planning Authority. Implementation shall be in accordance with the approved details. Reason: To ensure the protection of ecological features within the site.

(31) Plots 1 to 6 of the development hereby approved (Winchester Close), shall only be occupied by an individual or couple, where one of the residents must be a minimum of 55 years old. Reason: In the interests of highway safety.

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 (29), Saved Policies: 25.NC, 28.ES, 34.ES, 35.ES, 37.ES, 59.BE, 74.H, 100.T, 101.T, 104.T, 147.OS, 191.IN

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.

A handwritten signature in black ink, appearing to read 'C L Thomas'.

C L Thomas
Head of Development Control

N.B. See Enclosed Notes (PER)