



Meeting	Planning Committee
Date and Time	Thursday, 18th July, 2019 at 9.30 am.
Venue	Walton Suite, Guildhall, Winchester

AGENDA

PROCEDURAL ITEMS

1. **Apologies and Deputy Members**

To record the names of apologies given and Deputy Members who are attending the meeting in place of appointed Members.

2. **Disclosures of Interests**

To receive any disclosure of interests from Members and Officers in matters to be discussed.

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.

If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting.

3. **Membership of Sub-Committees etc**

To give consideration to the approval of alternative arrangements for appointments to bodies set up by the Committee or the making or terminating of such appointments.

4. **Minutes** (Pages 9 - 16)

Minutes of the previous meeting held on 20 June 2019.



Public speaking is allowed on individual planning applications, subject to certain restrictions – please contact the Public Speaking Co-ordinator as soon as possible, but **prior to 4.00pm Tuesday 16 July 2019**, on (01962) 848 339 to register to speak and for further details.

BUSINESS ITEMS

	Report Number	Ward
5.	Where appropriate, to accept the Update Sheet as an addendum to the Report.	
6.	Planning Applications - WCC Items 7- 11 (PDC1140 and Update sheet refers)	
7.	Development Land Malt Lane Bishops Waltham (Case no: 18/00170/FUL) (Pages 17 - 34)	Bishops Waltham
8.	Brown Eaves, 170 Main Road, Colden Common (Case no: 19/01049/HOU) (Pages 35 - 42)	Colden Common & Twyford
9.	The Green, Moors Close, Colden Common (Case no: 19/00896/FUL) (Pages 43 - 48)	Colden Common & Twyford
10.	Morelands Copse Farm, Hensting Lane, Fishers Pond (Case no: 19/00781/FUL) (Pages 49 - 58)	Colden Common & Twyford
11.	Hazelwood, 29 Downside Road, Winchester (Case no: 19/00922/FUL) (Pages 59 - 72)	St Barnabas
12.	Planning Applications - WCC Items 13- 14 and SDNP Items 15 - 16 (PDC 1140 and Update Sheet refers)	

The following items will not be considered before 2.00pm:

(Depending on the Committee's progress, some of the morning's items may overrun into the afternoon session. Nevertheless, the following items will not be considered before 2.00pm).

- | | | |
|-----|--|-------------------------------|
| 13. | Old Sheep Fair, The Long Barn, Bishops Sutton Road, Alresford (Case no: 19/00619/FUL) (Pages 73 - 84) | Alresford & Itchen Valley |
| 14. | The Well House, Bridge Lane, Shawford (Case no: 18/02792/FUL) (Pages 85 - 94) | Badger Farm & Olivers Battery |
| 15. | Old School House, Chilcomb (Case no: SDNP/19/01840/FUL) (Pages 95 - 108) | Upper Meon Valley |
| 16. | Land off Folly Hill Lane, Itchen Stoke, Alresford (Case no: SDNP/19/02218/FUL) (Pages 109 - 118) | Alresford & Itchen Valley |
| 17. | Tree works in a Conservation Area - Meadow Bank, Woodman Lane, Sparsholt (for information) (Pages 119 - 120) | Wonston & Micheldever |

Lisa Kirkman
Corporate Head of Resources and Monitoring Officer

Members of the public are able to easily access all of the papers for this meeting by opening the QR Code reader on your phone or tablet. Hold your device over the QR Code below so that it's clearly visible within your screen and you will be redirected to the agenda pack.



10 July 2019

Agenda Contact: Claire Buchanan, Senior Democratic Services Officer
Tel: 01962 848 438 Email: cbuchanan@winchester.gov.uk

**With the exception of exempt items, Agenda, reports and previous minutes are available on the Council's Website www.winchester.gov.uk*

MEMBERSHIP

Chair:
Evans (Liberal Democrats)

Vice-Chair:
Rutter (Liberal Democrats)

Conservatives
Cunningham
McLean
Read

Liberal Democrats
Bronk
Clear
Laming

Ruffell

Deputy Members

Brook, Pearson and Scott

Bentote and Gottlieb

Quorum = 4 members



Working in Partnership



THE HUMAN RIGHTS ACT 1998:

Please note that the Human Rights Act 1998 makes it unlawful for the Council to act in a way incompatible with any of the Convention rights protected by the Act unless it could not have acted otherwise.

In arriving at the recommendations to grant or refuse permission, careful consideration has been given to the rights set out in the European Convention on Human Rights including Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 14 (prohibition of discrimination in enjoyment of convention rights) and Article 1 of the first Protocol (the right to peaceful enjoyment of possessions).

The Council is of the opinion that either no such rights have been interfered with or where there is an interference with the rights of an applicant or objector, such interference is considered necessary for any of the following reasons:-

- ◆ The protection of rights and freedoms of others
- ◆ Public safety
- ◆ The protection of health or morals
- ◆ The prevention of crime or disorder
- ◆ The economic well being of the country.

It is also considered that such action is proportional to the legitimate aim and in the public interest.

GENERAL GUIDANCE ON THE WORK OF THE COMMITTEE:

Background

The Planning Committee meets on average once every four weeks. The membership of the Committee is drawn from elected City Councillors.

The Council's Constitution states that the vast majority of applications will be determined by the Planning officers (which are sometimes known as "delegated decisions"). However, if certain criteria are met from the Constitution, some applications (about 5%) are referred to Committee for determination, rather than officers.

As part of the Winchester District includes the South Downs National Park (SDNP), the Committee can also determine applications from this area on behalf of the National Park Authority.

At the meeting

At the start of the Committee meeting, the Chair will introduce the Councillors and officers at the table. Any Councillor's declarations of interest will also be announced at this point. If the interest is considered by the Councillor to be significant, he/she will leave the meeting when it reaches that item on the agenda.

Timing

The Committee considers many applications and scrutinises each one thoroughly. However, to prevent waiting unnecessarily through other people's applications, where work demands it, agendas will be split into morning and afternoon sessions. The morning session will usually start at 9.30am and, where applicable, the agenda will set out those items which the Committee will *not* consider before 2.00pm in the afternoon. Further details are set out below.

The Officer's presentation

On each item, the planning case officer will introduce the application to the Committee. They will concentrate on showing details of the proposals with the aid of projected visual material, including photographs of the site and plans. The length and details of the presentation at the meeting will be proportionate to the nature and scale of the proposal. The officer will make a recommendation to the Committee to either approve or refuse the application and, in the latter case, will state the reasons for this.

The officer is required to make a recommendation and the presentation will include material to explain why the scheme is being recommended for permission or refusal. However, officers will not restate the information set out in the report which relates to the assessment of the planning merits of the case. Specialist officers dealing with issues such as landscape, design and historic environment may also be available at Committee to provide advice on such matters and a legal representative will attend all Planning Committee meetings.

Public participation:

There will be a period of public participation, as follows:

- Objectors (3 minutes),

- Parish Council representatives (3 minutes),
- Ward Members (local District Councillors)/Cabinet Members (5 minutes),
- and supporters of the application (3 minutes).

The process is controlled by procedures to ensure fairness to both objectors and supporters. To register to speak, please contact the Public Speaking Co-ordinator on 01962 848 339 by 4pm one clear working day before the meeting.

After each speaker's category, there will be an opportunity for the Committee to ask questions of the speakers, if the Committee considers it necessary to clarify any matters of fact that arise.

Aside from this, the Committee will not enter into any further discussion with members of the public.

The names of members of the public etc who have registered to address committee meetings will appear in the minutes as part of the public record, which will be included on the Council's website. Those wishing to address a committee meeting who object to their names being made available in this way must notify the Democratic Services Officer either when registering to speak, or within 10 days of this meeting.

Members' Questions

After the officers' presentation and public participation there will be an opportunity for the Councillors on the Committee to ask questions of the officers.

The Councillors' Debate

The Councillors will then debate the application and may pick up any issues raised during public participation before a vote is taken to either;

- permit,
- refuse or
- defer (usually for a site visit or for further information). If a site visit is required then the item will usually be deferred to the next meeting of the Committee to allow it to be reconsidered after the site visit has been held.

If the Committee votes against the officer's recommendation, the reasons for this will be discussed and explained. Usually the precise wording for the reasons for refusal will be delegated to the Development Manager in consultation with the Chair. A summary of the Committee's reasons will be included in the minutes.

Voting:

Every Member has one vote when a matter before the meeting requires a decision. In the event of an equality of votes, the Chair may exercise a casting vote and that vote may be cast in any way they wish.

A Member may abstain from voting, or vote differently from how they may have indicated during the debate, without further explanation. The way each Member voted will not be recorded in the minutes, unless a motion to have a Recorded Vote has been passed.

After the meeting

After the meeting, the minutes will be available from the Council's website and a decision notice will be sent to the applicant/agent. Applicants have a right of appeal against a Committee decision to refuse planning permission, or any conditions imposed on permission, and any appeal will be considered by an Inspector appointed by the Secretary of State. Where an application has been permitted, there is no opportunity for objectors to appeal, other than to the Court by way of judicial review on a point of law.

DISABLED ACCESS:

Disabled access is normally available, but please phone Democratic Services on 01962 848 264 or email democracy@winchester.gov.uk to ensure that the necessary arrangements are in place.

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PLANNING COMMITTEE

20 June 2019

Attendance:

Councillors:

Evans (Chair) (P)

Bronk (P)

Clear (P)

Cunningham

Laming (P)

McLean (P)

Read (P)

Ruffell (P)

Rutter (P)

Deputy Members:

Councillor Pearson (as deputy for Cunningham) (except for the Tree Preservation Order items).

Others in attendance who addressed the meeting:

Councillors Achwal, Craske and Porter

Others in attendance who did not address the meeting:

Councillor Weir

1. **MINUTES**

RESOLVED:

That the minutes of the meeting held on 23 May 2019, be approved and adopted.

2. **PLANNING APPLICATIONS SCHEDULE**
(Report PDC1137 and Update Sheet refers)

A copy of each planning application decision is available to view on the Council's website under the respective planning application.

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1137.

Councillors Clear and Evans both declared a personal (but not prejudicial) interest in respect of Item 11 (Land rear of Horseshoe Paddocks, Laveys Lane, Titchfield) as they were both members of Wickham Parish Council that had considered the application, but they had taken no part in the Parish's decision and they took part in the discussion and voted thereon.

Councillor Bronk declared a personal (but not prejudicial) interest in respect of Item 7 (Land adjacent to Brookfield, Hazeley Road, Twyford) as he was a member of Colden Common and Twyford Parish Council that had considered the application and was also a Ward Councillor. He knew one of the objectors and had also met an objector and had explained the process of the Planning Committee to them but he had not discussed the application itself and he took part in the discussion and voted thereon.

In respect of Item 17 (Land off Burnet Lane, Kings Worthy) Councillor Rutter stated that she had predetermined the application. Councillor Rutter stepped down from the Committee for this item and addressed the Committee as a Ward Member and did not vote on this item.

Councillor Pearson declared a personal (but not prejudicial) interest in respect of Item 8 (Windmill Down Farm, Hambledon) and also in respect of item 13 (land adjacent to Gravel Hill, Shirrell Heath) and he participated in the discussion and voted thereon.

Councillor Ruffell declared a personal (but not prejudicial) interest in respect of Item 7 (Land adjacent to Brookfield, Hazeley Road, Twyford) as he knew the applicant from visiting his shop and he took part in the discussion and voted thereon.

Applications inside the area of the South Downs National Park (SDNP):

Item 7: (Land Adjacent to Brookfield) Two new two bedroom semi-detached dwellings.

Brookfield, Hazeley Road, Twyford, Winchester

Case number: SDNP/19/01426/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out in full comments and a condition (additional condition 13) that had been received from Hampshire County Council as Highway Authority. The Highway Authority had raised no objection subject to an additional condition relating to parking provision to ensure adequate onsite car parking provision for the approved development. In addition, the meeting was informed that the South Downs National Park Authority Local Plan would come into effect from 7 July 2019 and could now be given significant weight in consideration of National Park applications.

During public participation, June Kalb spoke in objection to the application and Jeff Potter (agent) and Richard Sellars (applicant) spoke in support of the application and all answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet.

Item 8: Replacement machinery store and workshop building.
Windmill Down Farm, Church Lane, Hambledon
Case number: SDNP/19/01778/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out an amendment to Condition 4 that the use of the buildings should be restricted to the storage of agricultural produce and equipment.

During public participation, David Griffiths and Caroline Dibden (Hambledon Parish Council) spoke in objection and Richard Goodall (agent) spoke in support of the application and all answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet subject to the inclusion of an additional condition relating to the submission of details to control light spillage from the roof lights to accord with the South Downs National Park Authority policy relating to Dark Night Skies.

Item 9: (Amended Plans) Extension to the rear of the site
Ivy Cottage, Avington Road, Avington
Case number: SDNP/18/06579/HOUS

During public participation, Mr Appleby (Chair of Itchen Valley Parish Council) and Hugh Thomas (agent) spoke in support of the application and all answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons and informatives set out in the Report.

Item 10: (Amended Plans) Extension to the rear of the site
Ivy Cottage, Avington Road, Avington
Case number: SDNP/18/06580/LIS

At the conclusion of debate, the Committee agreed to refuse permission for the reasons and informatives set out in the Report.

Applications outside the area of the South Downs National Park (WCC):

Item 11: Proposed creation of a new vehicular access via Fontley Road;
retention of existing field access track; replacement of existing dilapidated
footbridge and improvements to public footpath.
Land Rear Of Horseshoe Paddocks Business Centre, Laveys Lane, Titchfield.
Case number: 18/01666/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out further comments from Wickham Parish Council.

During public participation, Robert Tutton (agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the

reasons and subject to the conditions and informatives set out in the Report and the Update Sheet.

Item 12: Erection of two detached 5 bedroom houses with detached garages.
Land Adjacent Lodge Green, Whiteley Lane, Titchfield
Case number: 19/00426/FUL

The Service Lead Built Environment verbally informed the meeting of an additional reason for refusal that the proposed house sizes did not accord with policy CP2 of the Winchester District Local Plan Part 1 relating to housing mix.

During public participation, Paul Crowley spoke in objection to the application and Bryan Jezeph, and Peter Knight spoke in support of the application and all answered Members' questions thereon.

During public participation, Councillor Achwal spoke on this item as Ward Member.

In summary, Councillor Achwal raised the point that his was the seventh application on the site and she supported the reasons for refusal as the site was within the strategic gap.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons set out in the Report subject to the inclusion of an additional reason for refusal that the houses sizes did not accord with policy CP2 of the Winchester District Local Plan Part 1 relating to housing mix.

Item 13: Variation of Conditions 01 and 02 of 16/00456/FUL to make the temporary permission permanent and to amend the site layout
Land Adjacent To Gravel Hill, Shirrell Heath
Case number: 17/02213/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out the removal of a condition from the original 2016 application as the revised site layout could accommodate the standard static and touring caravans which were associated with traveller pitches and also the amendment of condition 8 to remove reference to the acoustic fence which was not now considered necessary.

During public participation, Dr Angus Murdoch (agent) spoke in support of the application and answered Members' questions thereon.

During public participation, Councillor Achwal spoke on this item as a Ward Member.

In summary, Councillor Achwal raised the following points:

- Councillor Bentote (Ward Member) had also made representation by email.
- The site had a temporary permission which expired in February 2019 and it should have been vacated.
- It was in the strategic (local) gap and in the countryside.

- It was asked if the payment towards the Solent Recreation Mitigation Partnership been paid, and was it a one off payment or an annual payment.
- There were alternative traveller sites in the area that had spaces, including one in Whiteley.
- There were objections from Shedfield Parish Council and local residents and the application should be refused.

In response, the case officer confirmed that the payment to the Solent Recreation Mitigation Partnership was a one-off contribution requested at the time of consent.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update sheet.

Item 15: Proposed development of 4 x 3 bed semi-detached houses and 4 x 2 bed apartments following removal of existing dwelling.
49 Stoney Lane, Winchester.
Case number: 19/00645/FUL.

During public participation, Keith Adams spoke in objection to the application and Wendy Croxford and Ian Tait (agent) spoke in support of the application and answered Members' questions thereon.

During public participation, Councillor Craske spoke on this item as Ward Member.

In summary, Councillor Craske raised the following points:

- It was a critical application on a sensitive plot with largely chalet bungalows in the vicinity and could set a precedent;
- Highways, urban design and ecology objected;
- Pre application guidance should have been sought by the applicant, and it increased the risk to the applicant by not doing so;
- The reasons for refusal and their supporting policies were supported;
- St Thomas More Place (on Stoney Lane) had been progressed through consultation; was better designed and did not set a precedent.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons and informatives set out in the Report.

Item 16: Retrospective alterations/amendments connected to the approved scheme 16/00258/FUL:

- additional living area formed within the roof space serving units 4 and 5
- additional lightwell serving unit 2
- small window infilled serving unit 3 on the west elevation
- minor landscape alterations
- revised bin/cycle storage

7-9 Gordon Avenue, Winchester

Case number: 19/00577/FUL

During public participation, Amrik Chahi (agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report.

Item 17: (AMENDED PLANS 24.04.2019) A development of 35 units, including infrastructure and the open space provision associated with the development area. Provision of remaining open space, (change of use from agricultural, to publicly accessible recreation land). Diversion of Public Right of Way (ROW/3189777), in addition to a minor diversion of one of the three claimed Rights of Way.

Land off Burnet Lane, Kings Worthy

Case number: 19/00048/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out an update to the Natural England section relating to the deterioration of the water environment and the conclusion of the agreement with Habitats Regulation Assessment (HRA) - the mitigation required was covered by the Construction Management Plan and the HRA. Further, additional conditions were proposed relating to the maintaining of open space; to improve the appearance of the site in the interests of visual amenity and to ensure that the roads were constructed to a standard which had the potential to be adopted.

During public participation, Ian Gordon (Kings Worthy Parish Council) and Leane Smith (agent) spoke in support of the application and answered Members' questions thereon.

During public participation, Councillors Porter and Rutter spoke on this item as Ward Members.

In summary, Councillor Porter raised the following points:

- There had been considerable work to achieve a scheme which was best for residents both new and old;
- The highway needed to be constructed to adoptable standards;
- Traffic impact could be reduced by the new footpaths;
- The planning permission needed to be clear that the open space would be protected from future development.

In summary, Councillor Rutter raised the following points:

- That it should be conditioned that the public open space would be protected in perpetuity;
- That there should be wider consultation on the future use of the public open space, for example for wildflowers, use by dogs, inclusion of a kick-a-bout area;
- A surfaced path by King Bishops Walk was vital to provide safe, level access to amenities;
- Thanks to all organisations involved for providing social housing and public open space.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the legal agreement (relating to the public open space), conditions and informatives set out in the Report and the Update Sheet, subject to condition 23 to be updated for legislation date and that in the Update Sheet the condition relating to improving the appearance of the site in the interests of visual amenity be further amended that the development be undertaken in accordance with approved details.

Item 18: Proposed loft conversion with associated front, rear and side dormers; rear balcony; side and rear decking, fencing and terrace;
Retrospective: Conversion of garage into studio, with small front extension
Woodlea, 3 Boyne Mead Road, Kings Worthy
Case number: 19/00189/HOU

The Service Lead Built Environment stated that the application included the extension to the front of the garage and not for the conversion of the garage, which had been dealt with in a previous application.

During public participation, Ian Gordon (Kings Worthy Parish Council) spoke in objection to the application and Penny Attwood (applicant) spoke in support of the application and both answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons and informatives set out in the Report.

RESOLVED:

That the decisions taken on the Planning Applications in relation to those applications inside and outside the area of the South Downs National Park be agreed as set out in the decision relating to each item, subject to the following:

(i) That in respect of item 8 (Windmill Down Farm, Hambledon) permission be granted for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet subject to the inclusion of an additional condition relating to the submission of details to control light spillage from the roof lights to accord with the South Downs National Park Authority policy relating to Dark Night Skies.

(ii) That in respect of item 11 (Land rear of Horseshoe Paddocks, Laveys lane, Titchfield) permission be granted for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet

(iii) That in respect of item 12 (land adjacent Lodge Green Whiteley), permission be refused for the reasons set out in the Report subject to the inclusion of an additional reason for refusal that the houses sizes did not accord with policy CP2 of the Winchester District Local Plan Part 1 relating to housing mix.

(iv) That in respect of item 17 (Land off Burnet lane, Kings Worthy) permission be granted for the reasons and subject to the legal

agreement (relating to the public open space), conditions and informatives set out in the Report and the Update Sheet, subject to condition 23 to be updated for legislation date and that in the Update Sheet the condition relating to improve the appearance of the site in the interests of visual amenity be further amended that the development be undertaken in accordance with approved details.

3. **CONFIRMATION OF TREE PRESERVATION ORDER 2253 – LAND OFF OF 2 BEREWEEKE AVENUE, WINCHESTER.**
(Report PDC1133 refers)

During public participation, Sarah Garabette spoke on this item in objection to the confirmation of the TPO.

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2253 be confirmed.

4. **CONFIRMATION OF TREE PRESERVATION ORDER 2252 – LAND OFF OF 35 DEAN LANE, WINCHESTER.**
(Report PDC1138 refers)

During public participation, Mr Walker spoke on this item in objection to the confirmation of the TPO and Councillor Craske spoke on this item as Ward Member.

In summary, Councillor Craske raised the following points:

- The beech trees added character to the area;
- The trees had high amenity value and supported wildlife and reduced CO2;
- Policy CP20 was relevant and the trees also helped conserve the local distinctiveness of St Barnabas in accordance with its design statement;
- The trees contributed to the setting and should be retained.

RESOLVED:

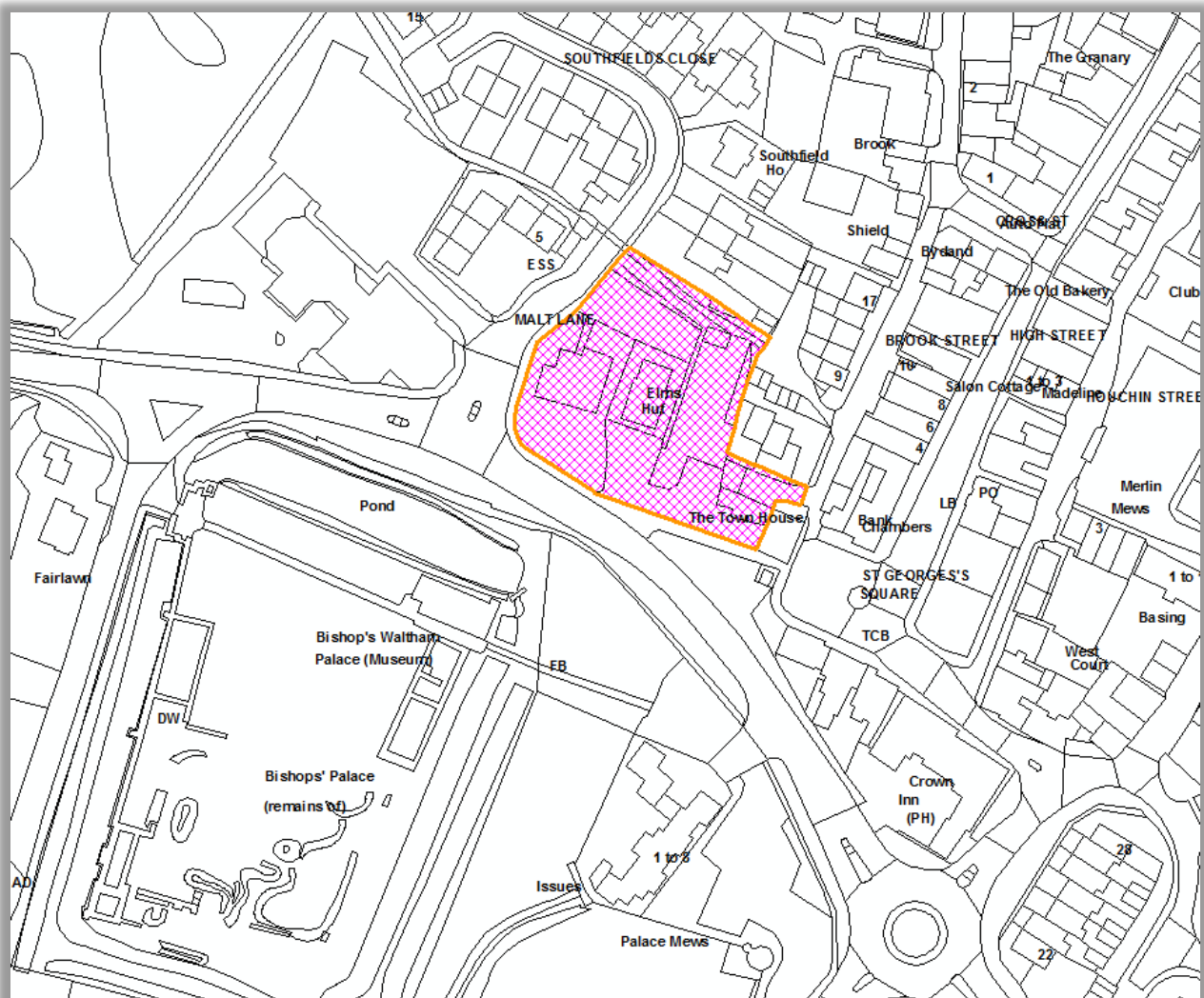
That, having taken into consideration the representations received, Tree Preservation Order 2252 be confirmed.

The meeting commenced at 9.30am, adjourned between 12.50pm and 2.00pm and concluded at 4.20pm.

Chairman

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 18/00170/FUL
Proposal Description: Full planning application for the erection of 28 apartments, five ground floor retail units (Use Classes A1/A2/A3), a replacement NHS Facility (Use Class D1) and a replacement Youth Hall (sui generis) following the demolition of the existing buildings
Address: Development Land Malt Lane Bishops Waltham Hampshire
Parish, or Ward if within Winchester City: Bishops Waltham
Applicants Name: Country Homes Guildford Ltd
Case Officer: Mr Simon Avery
Date Valid: 25 January 2018
Recommendation: Application Refused



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Case No: 18/00170/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Application is reported to Committee as the number of letters of support received raising material planning reasons is 20 and this is contrary to the officer's recommendation.

Site Description

This site is in a highly prominent and sensitive location within Bishops Waltham being on the main approach to the historic centre of the town and opposite the Bishops Waltham Palace which is a Scheduled Ancient Monument. It is within the conservation area and in close proximity to listed buildings located to the east. It is also within the settlement boundary and town centre boundary of Bishops Waltham. It is located approximately 300 metres to the south of the National Park boundary.

The site occupies a corner plot fronting the B2177 Winchester Road to the south and Malt Lane to the west. On the other side of Malt Lane to the west is the Budgens Supermarket and beyond this is a redundant petrol service station. Behind the supermarket are a group of bungalows dating from the 1960s (1 to 5 Malt Lane). Malt Lane then becomes Southfield Close as it goes northwards and the rear of the site is adjacent to the side boundary of an 1980s end terrace (1 to 3 Southfield Close). In between this terrace and the site is a line of tall trees and a ditch. To the east are St Georges Square and Brook Street containing mainly historic buildings in residential or commercial use. There is a grade II listed building called The Town House in St Georges Square immediately abutting the site to the east. Behind this are a pair of more recent semi-detached houses (5 and 7 Brook Street) which are also adjacent to the eastern boundary of the site.

The site itself is 0.3 hectares in size and currently contains four separate single storey buildings which are a youth hall, an NHS physiotherapy centre, Foxes garden machinery workshop and an outbuilding which abuts The Town House but is owned by Foxes. The buildings are set back from the edge of the B2177 with a public footpath, grassed verge and an area of hard surfacing located to the front. There is one large tree within the verge and one sapling. The NHS physiotherapy centre is accessed at the rear of the site and also has an area of car parking to the rear accessible via Malt Lane. There is also a vehicular access to the site via the B2177 to the hard surfacing in front of Foxes. A third vehicular access is to a small tarmac covered parking area located to the east of the site is off Brook Street. The existing buildings are of no particular architectural merit. It is considered that significant archaeological remains may survive within the site.

Proposal

The proposal involves the demolition of the four existing buildings and the erection of 28 new apartments, five ground floor retail units, a replacement Youth Hall and a replacement NHS facility.

The development is proposed in two blocks, the larger an 'L' shaped perimeter block fronting Winchester Road and Malt Lane with a separate block behind this to the north east. Both proposed blocks are two to three storeys in height. In between the blocks would be car parking and communal soft landscaped areas with more parking and a small garden area to the rear.

Case No: 18/00170/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

17 apartments are proposed in the upper floors along the frontage block, 16 of these two bedroom and 1 one bedroom. 11 apartments are proposed across the three floors in the north east block, 10 two bedroom and 1 one bedroom. A small amount of communal landscaping is proposed but the majority of apartments would have private external amenity space in the form of private gardens for ground floor apartments or balconies.

Five retail units are proposed along the Winchester Road frontage of the following sizes:

- Retail Unit 1 – 104.1 sqm
- Retail Unit 2 – 51.8 sqm
- Retail Unit 3 – 76.4 sqm
- Retail Unit 4 – 88.5 sqm
- Retail Unit 5 – 172.6 sqm

The replacement Youth Hall is proposed to be located on the ground floor of a block fronting Malt Lane and would be 202.4 sqm. As well as a hall this is proposed to include a store room, kitchen space, additional meeting rooms and office space.

The replacement NHS facility would be 104.1 sqm and would be located on the first floor about the youth hall. It would have a separate entrance.

44 car parking spaces are proposed to be provided. 28 will be assigned to the 28 proposed apartments, and five multi-use spaces provided for the NHS and Youth Hall users. Seven car parking spaces will be provided for the retail units with the remaining four spaces being unallocated. Of the 44 spaces 5 will be accessible parking bays.

Access to the proposed development will be from the existing vehicular access points to the site from Malt Lane and Brook Street.

Relevant Planning History

None relevant.

Consultations

WCC Strategic Planning:

- The proposal is for a mix of uses which are all appropriate to the area and acceptable / required in planning policy terms.
- This is a site which the Council has been encouraging redevelopment of for many years.
- This is a key site in a highly visible and sensitive location and so a key issue is the design and appearance of the scheme.
- The proposal does not fully satisfy the housing mix policy (CP2) or provide any affordable housing.
- Otherwise the site appears to satisfy the key policy requirements.

Winchester-Eastleigh Design Review Panel

- The permeability of the site and the lines of development need to be considered and the route through to Budgens from the town and square made much more of an event.
- The pavement is far too narrow to support the activities of shops and cafes.

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- Development of three storeys across the site does not reflect that of the existing town and the density and scale should arguably be more diffused as the development moves away from the High Street.
- There should also be gaps in the development to allow views and landscaping.
- The scheme is just repeating buildings of a similar three storey scale and massing across the entire site negating any potential for the expression of a primary or key focal building.
- Transposing the architecture of the Bishops Waltham High Street onto the site might be an appropriate response but the proposed buildings reference a London Regency style which is out of character with Bishops Waltham.
- The front buildings are effectively retail units dressed up in a dilute traditional / classical style.
- The scheme has no underlying theme to tie any of the diverse elements together.

WCC Urban Design:

- An alternative approach informed by a contextual analysis of this site would be more appropriate.
- The proposed heights, massing and elevations presenting a range of historical styles would not be successful in projecting a suitable gateway into Bishop's Waltham.
- The perimeter block arrangement requires a more sensitive architectural vocabulary that does not attempt to copy Bishop's Waltham's architectural heritage.
- Given this sensitive location, the proposed scale and density proposed would be difficult to achieve.

Historic England:

- The proposal would result in harm to the character and appearance of the conservation area by virtue of its height and scale which would have a dominating effect.
- The large scale of the proposed development is compounded by the continuous frontage which has no breaks at street level.
- The development would also become visible from within the scheduled area, and have a dominating effect particularly on the nearest scheduled buildings within the scheduled site.
- Increased visibility of development may also affect how the monument is experienced; at present it has a relatively rural tranquil feel due to its position on the very edge of Bishops Waltham, and which stems from the green areas and ruins that form the site.
- The level of harm would be 'less than substantial' in the terms of the National Planning Policy Framework. The NPPF requires that harm to heritage assets be minimised, and notes that great weight should be given to an assets conservation.
- The development site has the potential for survival of undesignated buried archaeological remains, including those which may relate to the scheduled palace and may therefore be deemed to be of equal (national) significance.
- The proposed new retail space should not undermine the viability of the shops in the High Street and surrounding area as this could give rise to a lack of investment in these historic buildings (many of which are listed) and put them at risk of neglect.

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WCC Historic Environment:

- The scheme currently presented is disappointing.
- The proposed continuous terrace at 3 storeys in height is over-scaled and would be overly domineering in this part of the conservation area.
- Although an irregular roofscape would be welcome, the proposed facades, with their continuous fascia level, coupled with the verticality of the glazed links, creates an unnatural balance to the appearance of the scheme.
- Other than the use of brick and tile and traditional windows, the design would do little to reflect the character of Bishop`s Waltham e.g. the retail spaces appear large and thus do not reflect the active frontages of the smaller individual shops characteristic of the High Street.
- There is also a distinct lack of connecting alleys providing front to back access through the site - an important feature of the town.
- The proposals, by virtue of their inappropriate scale, size and design, would not successfully integrate with the locality, and thus would fail to preserve or enhance the character and appearance of the conservation area, and the wider setting of the Bishop`s Waltham Palace.

WCC Historic Environment – Archaeology:

- Given the high archaeological potential identified for this site and that assets of equal significance to designated assets may be present, the lack of detailed information on such buried remains does not meet the requirements of Para.189 of the NPPF.
- Furthermore, the lack of such information means that an informed planning decision cannot be made in line with Para. 197 of the NPPF and potentially does not meet the requirements of Para's.193-6 of the NPPF.
- Accordingly the application cannot be supported.

WCC Estates

- Based on viability, no affordable housing contribution should be sought.

South Downs National Park Authority

- The application does not appear to be supported by a Landscape and Visual Impact Appraisal and there is only a limited assessment of views and landscape strategy within the submitted Design and Access Statement, which does not address the potential impact of the development proposal upon the setting of the National Park.
- The proposal to introduce three-storey buildings on the site could result in a significant visual impact, notwithstanding the fact that the site is located within a built up area. The proposal is for a high density urban development with very little room for soft landscaping.
- Without further information it is not possible to fully assess the impact of the new development upon the setting of the National Park.
- South Downs National Park Authority therefore raise an objection to the proposal on the basis that insufficient information has been submitted to demonstrate that the proposal would conserve and enhance the landscape setting in accordance with the National Park's first purpose.

HCC Highways Engineer

- Parking in Bishops Waltham is somewhat contentious and there is over demand at

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present. Whilst there is a bus service, it is pretty limited. The location is such that it may be possible to make certain journeys by public transport, but this would not discourage car ownership, as car travel would be required in the evening and at weekends.

- A reduction in our adopted parking standards cannot be supported, unless the applicant can provide a robust justification for such.

WCC Landscape:

- This is a high density urban development and consequently there is not much scope for soft landscaping.
- It is important to ensure the existing trees on site are given enough room to flourish and be appreciated in the public realm.
- The lack of soft landscaping also makes it more important that a high quality hard paving scheme and 'external works package' is provided and made integral to the development proposals.

WCC Landscape - Arboriculture:

- Without an arboricultural impact assessment & method statement the impact on the trees cannot be assessed.
- The proposal appears too close to T7 – T9 which will put future pressures on these trees for pruning or felling.
- Also there is no tree protection plan.

WCC Drainage Engineer:

- Mains drainage does exist for foul sewerage. Confirmation would be required from Southern Water that their infrastructure can support the increase in loading, and permission to connect.

Southern Water:

- No objections.

Natural England:

- No objections.

Ecology:

- No objections.

WCC Environmental Protection:

- No objections.

WCC Economic Development:

- Support in principle as it is in line with the aims and aspirations of the Winchester District Economic Strategy 2010 to 2020 to increase local employment opportunities near to people's homes within our market towns and rural areas.
- The provision of five new retail units could extend this retail offer beyond the medieval High Street and link the existing centre with the impressive ruins of the medieval Bishop of Winchester's Palace.

Representations:

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Bishops Waltham Parish Council

Welcomes the improvements to the site but has the following comments:

- Proposal for the mass and height of the north block is unacceptable due to impact on neighbouring properties. Some amelioration in the design is required to address this issue.
- The pavement to the front of the development is too narrow for a busy thoroughfare and options should be explored for widening it.
- The parking proposals are not in accordance with Winchester City Council's residential parking standards.
- Concern over the lack of affordable housing.
- An arboricultural impact assessment should be undertaken on the trees to the rear of the development and a landscaping plan to improve the quality of screening should be secured by condition.
- Design of the frontage should be amended to include some break in the line of buildings.
- Request that highways comment on the proposal for a vehicle exit on to Brook Street.

18 letters received objecting to the application for the following material planning reasons:

- Concern about scale / height / overdevelopment / visual impact
- Three storey buildings are inappropriate so close to the historic centre / out of keeping with the village / overbearing to the surrounding smaller homes.
- The design of the buildings is not in keeping with the village / will degrade the architectural merit of the buildings in the centre of Bishops Waltham, and the adjacent old public house.
- Views from all around Bishops Waltham will be damaged and the proposed development is seen first when arriving in Bishops Waltham.
- The proposed Winchester Road elevations are too dominant in terms of showing a continuous block of a building rather than being individual buildings separated by spaces.
- Adverse impact on setting of the Bishops Palace heritage site.
- The proposed development is too close to Winchester Road and Malt Lane and should retain the existing open character of these roads.
- Loss of youth club
- The parking provision is insufficient for a large development / lack of delivery space for retail units.
- It is unacceptable to have no affordable housing in a development of this size.
- A missed opportunity to create an active new community of residents & traders.
- Information supporting the application / in the Design and Access Statement is misleading or inaccurate.
- Loss of light to residential properties.
- Loss of trees.
- Lack of visual screening / no scope for tree planting in the front to soften the visual impact.
- Increased noise and disturbance.
- Removal of wall to the rear / impact on Beech tree / nesting birds
- Out of the 18 people supporting the development, 13 live outside of the village and 5 will not be affected by the development as they live far enough away.
- Light pollution and advertising sign clutter from the retail units.

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- Lack of Archaeological information.

20 letters of support received from 19 households supporting for the following material planning reasons:

- New Shops and housing should be on a brown field site rather than countryside.
- New employment opportunities / support the local economy and commercial growth.
- The site is an eyesore / in significant need of modernisation and redevelopment.
- Flats would suit young people getting on to the property ladder / the aging population that need to down size / people without cars that need to be near the town centre.
- Provision of a purpose built youth hall.
- This site is an important landmark area / a gateway to Bishops Waltham and the historic nature of the architecture is a suitable approach to the town.
- The proposed scheme appears attractive, well planned and in keeping with the surroundings and the architecture of the town and high street.
- The proposed development has varied heights, roof lines, fenestration and façade styles which reflect the visual character of nearby buildings.
- Increase of housing will bring economic growth to Bishops Waltham.
- The proposed parking spaces appear adequate and providing more parking spaces in the middle of market squares is not a solution.
- The small number of small new retail units will add to the range of retail outlets available.
- Everyone will benefit from the NHS provision.
- The rebuilding of 'Foxes' will generate more business to the family-run organisation and will allow them to work more effectively.
- The mix of uses, clever concealment of parking and creation of some intimate internal spaces are welcomed.
- The development will provide a much enhanced and improved backdrop to The Palace Ruins to the south and Bishops Waltham Square to the east.
- The pavement width abutting the B2177 is suitable.
- The commercial viability of the development drives the need for higher density.
- The sycamore trees should be removed and replaced with more appropriate indigenous species which would enhance the locality.

Bishops Waltham Society

Support the following features of this proposal:

- Overall this proposal represents a reasonably attractive redevelopment of a site that is currently an eyesore in a prominent location.
- The design of the most important frontages comprises a mix of building designs that harmonise fairly well, and a design that draws inspiration from characteristics of the historic town centre.
- The flats should meet some of the local need for housing for young people.
- The proposed youth hall represents a big improvement on the existing one.
- The proposed retail units will provide some employment opportunities for local people.

Reservations about the following aspects:

- The scale and massing of the proposed buildings nearest to Brook Street and

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Southfields Close would be overbearing on adjacent houses.

- The width of the pavement adjacent to the B2177 as proposed is too narrow in places to work well as a pedestrian route into the town centre, and to support the activities of the retail units. The scheme would benefit greatly from being set just a little further back along with more landscaping and greenery to improve the attractiveness of the frontage and public realm.
- The frontage to Winchester Road would benefit from being broken up with at least one alleyway to provide a visual break in the large South block and improve permeability to and from the residential parking area within the site.
- The large floor-to-ceiling windows on the frontage are incongruous with the rest of the design and detract from the overall appearance.
- Parking provision on site may not be adequate to serve all the development proposed, which could lead to indiscriminate parking along Southfields Close, in Brook Street as well as the small Palace/Museum car park opposite the development.
- There appears to be no affordable housing proposed within the residential parts of the scheme.
- There are no loading/unloading bays for the retail units.
- This is a critically important archaeological site with strong connections to Bishop's Waltham's early history.
- Inadequacy of archaeological submission.
- The site may contain important archaeological remains from different periods and may have formed part of the Palace curtilage. It is one of the last underdeveloped sites that can still help to reveal the town's earliest history. The buried remains could be of equal (national) significance to the Palace itself.
- The developer should commission a full geophysical study of the whole area.

The South Downs Society

Supports the application for the following reasons:

- The site is very run down and not pleasing to the eye.
- The project seeks to develop a brownfield site for much needed housing at the edge of the National Park.
- The provision of an improved premises for NHS services and youth activity has resounding benefits for the area.
- The renewed linkage from the High St via the redevelopment to the North Pond will make this facility of an historic, managed pond site much easier to access for all.
- The Society would prefer greater attention to providing affordable housing, which appears to be lacking.

Relevant Planning Policy:

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

CP1 – Housing Provision

CP2 – Housing Mix

CP3 – Affordable Housing

CP6 – Local Facilities and Services

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CP7 – Open Space, Sport & Recreation
CP10 – Transport
CP11 – Sustainable Low and Zero Carbon Built Development
CP13 – High Quality Design
CP14 – Effective Uses of Land
CP15 – Green Infrastructure
CP16 – Biodiversity
CP17 – Flooding
CP20 – Heritage and Landscape Character
CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2 – Development Management and Site Allocations (LPP2)

DM1 – Location of New Development
DM2 – Dwelling Sizes
DM6 – Open Space Provision
DM7 – Town, District and Local Centres
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM19 – Development and Pollution
DM20 – Development and Noise
DM21 – Contaminated Land
DM24 – Special Trees, Important Hedgerows and Ancient Woodlands
DM26 – Archaeology
DM27 – Development in Conservation Areas
DM28 – Demolition in Conservation Areas
DM29 – Heritage assets

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

- Bishops Waltham Design Statement February 2016
- High Quality Places March 2015
- Affordable Housing February 2008
- Residential Parking Standards December 2009

Planning Considerations

- Principle of development
- Housing mix and tenure
- Impact on the character of the area
- Archaeology
- Impact on neighbouring property
- Landscape / trees
- Highways / parking
- Flood and water management
- Ecology
- Conclusion

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Principle of development

This site is within the settlement boundary and Conservation Area of Bishops Waltham, as well as within the defined town centre. The principle of development is therefore acceptable and the proposed mix of uses is also appropriate in this location.

The proposal is however unacceptable due to its impact upon the character and appearance of the area which includes the setting of Bishops Waltham Palace, the conservation area and South Down National Park. It also lacks sufficient information to properly assess the impact it would have on archaeology, trees and highway safety. The application also fails to justify why it is not providing a more policy compliant mix of dwellings.

Housing mix and tenure

In terms of affordable housing, the applicant has submitted a viability appraisal which has been independently assessed by a consultant on behalf of the Council. They have confirmed the findings of the appraisal, that it is not viable for the development to make provision for any affordable housing. The reasons for this are specific to the particular proposals (such as the low demand for retail and office units, and the larger than typical residential unit sizes). Therefore, while it is accepted that this specific proposal cannot be required to make provision for affordable housing, if a revised scheme came forward it would need to be assessed on its own merits in terms of viability of affordable housing.

The proposal includes 26 two bedroom apartments and 2 one bedroom apartments. As such it fails to comply with policy CP2 of the Local Plan Part 1 which requires the majority of homes to be in the form of 2 and 3 bed houses. CP2 allows an alternative approach if local circumstances indicate this is suitable. However, there is no evidence that this is the case and so no justification for not providing any 3 bed apartments as part of the mix. The housing mix as proposed is therefore not acceptable.

Impact on the character of the area

The site is in a prominent position within the Bishops Waltham conservation area and within the setting of Bishops Waltham Palace, a scheduled monument. It is also the key approach to the core of this historic market town. The current buildings on the site have no architectural merit or historic interest and their demolition and replacement would be welcomed, as would the provision of improved facilities such as the proposed youth hall. There is no objection in principle to the provision of additional retail units in this location. However, the scheme currently proposed, due to its scale, height, design and the quantum of development is considered to be unacceptable.

Bishops Waltham has many of the characteristics of a historic Hampshire market town. The narrow streets, the variety of building ages and types and the use of local building materials combine to form its unique character and appearance. Typical of most small historic towns is the fine grain of the urban form which arises from narrow plots and buildings of modest height.

The proposed scheme, which consists of two large blocks of buildings, fails to reflect this character. While it seeks to break up the mass of the proposed buildings and present a varied roofscape and elevations, the heights of the buildings are predominantly two and a half or three storeys with very little at two storey height. The

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Bishops Waltham Design Statement (adopted in 2016) states that the majority of buildings in the town are of two storeys with a few three storey buildings. This means that the proposed development is of a scale which would dominate this part of the conservation area and be out of character with its surroundings. The expectation set out in policy 5.2 of the Design Statement is that new buildings should generally be no higher than two and a half storeys. It could also be argued that the density and scale of development should reduce as it moves away from the historic core, rather than increase as is proposed here.

As well as its height and scale, the quantum of development being proposed across the site is considered excessive and an overdevelopment of the land. The front 'L' shaped block would be sited close to the footpath edge on both Malt Lane and Winchester Road and presents a continuous expanse of development at street level. To the rear the large separate block sits adjacent to the north eastern corner of the site but is within 8.5 metres of the front block at the closest point. The spaces between and around the two blocks are predominantly taken up with parking or turning spaces.

The site currently benefits from a sense of openness due to the position of the existing low buildings which are set back from Winchester Road with space to the front. While development of the site would inevitably reduce this open character, typically in a historic town where buildings front the street there are either alleyways or archways which break up linear mass of the buildings and provide views through. The proposals fail to reflect these characteristics and present a cramped, over dominant form of development, allowing no views into the site and little space for attractive pedestrian routes or for planting of any significance. It would be out of keeping with the surrounding pattern of development and would result in an inappropriate and urban approach to the centre of the historic town.

The development, due to its scale and extent would also be visible from within the scheduled monument which lies directly opposite the site. This includes earthworks and buildings which form the remains of Bishop's Waltham Palace, a magnate's residence constructed in the 12th century and in use until its ruin in the Civil War.

Historic England have advised that development at two storeys that is set back to a similar street frontage edge as present would be unlikely to create a significant level of harm to the scheduled monument, given other similar scale developments that are nearby. However, an increase to three storeys, and moving buildings further forward to the road edge, as in the current proposal, would result in increased visibility from within the scheduled area, and an increased level of harm to the significance of the monument and the visitor experience of it. Natural England have advised that the level of harm would be 'less than substantial' in the terms of the National Planning Policy Framework (NPPF), but have nevertheless found that the development in its current form would be harmful to designated Heritage Assets and recommend that the design is modified to reduce this.

Concern has also been raised by the South Downs National Park Authority that the application is not supported by a Landscape and Visual Impact Appraisal and contains only a limited assessment of views and landscape strategy. As such it does not address the potential impact of the development upon the setting of the National Park. However, it is considered that, as the site is located approximately 300 metres to the south of the park boundary and is within a built up area, the proposed development would be

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unlikely to result in a significant visual impact upon the setting of the National Park.

As well as concerns about the scale and quantum of development, it is also considered that the architectural design is unacceptable. Whilst a traditional form of architecture may be a suitable approach in this context, it is considered that the proposed design does not reflect the character of Bishops Waltham. A range of traditionally inspired forms are proposed within the frontage block paying reference to a Victorian or Georgian style architecture. However, these buildings are effectively large retail units dressed up in a form of traditional architecture. As such they don't reflect the proportions of the historic buildings in the town centre or the active frontages of the smaller individual shops on the High Street. Furthermore the block includes modern glazed links between the traditional styled buildings which are incongruous in style with the traditional form and, due to their vertical emphasis, sit awkwardly with the continuous horizontal fascia level of the retail windows.

The rear residential block of the scheme proposes another set of building forms and vocabulary that is alien to the context and to that of the road side design proposed.

Overall there is no understandable logic for the architectural approach and no underlying theme to tie the different styles together. It is not considered that the development would be successful in projecting a suitable gateway into Bishop's Waltham.

Archaeology

The site has a high potential for significant archaeological remains given its location in relation to the remains of the Bishops Palace and the planned medieval market town of Bishops Waltham. Furthermore, although such assets are undesignated, the site has the potential to contain well preserved buried remains which relate to the Scheduled Monument and therefore be deemed to be of equal significance.

Previous archaeological excavations uncovered evidence for several phases of Late Saxon / medieval buildings including well preserved environmental remains and re-used Roman building material. Evidence of prehistoric activity was also located.

Therefore it is imperative that a detailed archaeological assessment should be undertaken of the site in order to provide detailed information on the nature, survival and quality of buried heritage assets which may be present. Such information should, where necessary, inform the design of development proposals as they progress or, inform an appropriate archaeological mitigation strategy.

The Archaeology Report submitted as part of this planning application does not comprise a satisfactory archaeological assessment of the proposal site. The assessment has not been undertaken by a suitably qualified and experienced professional archaeologist / archaeological contractor and does not meet the requirements for a desk-based assessment as set out in guidance issued by The Chartered Institute for Archaeologists.

The report simply provides a short and highly summarised synopsis of previous archaeological investigations undertaken in the area from published sources, however there is a lack of detail both in the text and associated illustrative material that is expected in an archaeological desk-based assessment.

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The report goes on to conclude that an archaeological watching brief would form a suitable archaeological mitigation strategy. This is not accepted. The development site has the potential for survival of undesignated buried archaeological remains, including those which may relate to the scheduled palace and may therefore be deemed to be of equal (national) significance.

Further information is therefore required to enable the local planning authority to assess the scale of any adverse impacts and the effects of such impacts upon the significance of buried heritage assets and thus make an informed decision on the current proposal. If deposits associated with the palace were identified, preservation by design may be a suitable form of mitigation, and so could affect the design and layout of the proposals.

Impact on neighbouring property

The development has the potential to impact residential properties on Southfield Close to the north and Brook Road to the north east.

To the north, 1 Southfields Close is an end of terrace house whose side elevation is adjacent to the northern boundary of the site. There is however a tall line of trees along the boundary, most of which are within the site, then a bank and a ditch to the north of these. There is also a driveway within the curtilage of 1 Southfields Close running along the southern side of the property between the ditch and the house and garden. These various features therefore provide some relief and distance between the proposed buildings on the site and the garden and side elevation of this neighbouring property. The proposed building at the rear of the site is for the most part at least 14 metres from the northern boundary and so about 20 metres from this neighbouring property. However, there is a three storey rear wing of the proposed building which projects backwards towards the northern boundary and would be between 9 and 10 metres from the rear garden of 1 Southfields Close. This rear wing has bedroom and living room windows on all floors facing north. These windows will allow a degree of overlooking towards the rear garden of No 1 Southfields Close. If the existing trees along this boundary are retained, then they will provide some screening which will protect the privacy of this garden from views from the windows. However, the application is not supported by an arboricultural impact assessment and method statement, which is necessary to demonstrate that these trees can be retained in harmony with the proposed buildings. There is therefore a concern that, should these trees be removed, damaged or reduced due to the construction works or future pressure arising from the close proximity of the building, the privacy of the neighbouring property would be compromised.

5 and 7 Brook Street are a pair of semi-detached houses to the east of the site, currently sitting adjacent to the large Foxes workshop. This workshop would be replaced by the proposed rear block of apartments under the current scheme and so No 7 Brook Street would sit side-on to the east elevation of this new building. There are no side windows on the western elevation of No 7 so there would be no overlooking from the apartments into this property. Due to the orientation of the buildings there would only be a limited amount of overshadowing in the late afternoon. The main issue is whether there would be unacceptable overlooking from the apartments over the garden areas of these two neighbouring properties or whether the increased mass of the new building would appear overbearing when viewed from these gardens.

Both properties have garden areas to the south and No 7 has small side / front garden to the west. The properties are at a relatively high level on the road in Brook Street and so

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their ridge height is approximately 2.5 metres taller than the single storey workshop adjacent to the west. The new building would have a ridge height 4.5 metres taller than the workshop, and an eaves height varying from 2 to 3.2 metres taller. This will increase its height above the neighbouring houses (by approximately 2 metres) and its prominence when viewed from the neighbouring gardens. However, the main private areas for these two houses are the larger gardens to the south and the new building only marginally aligns with these. The increased height will mainly be apparent from the side / front garden of No 7. This is not considered to be as sensitive and therefore it is not considered that the new building will appear unacceptably overbearing.

There are however concerns about overlooking onto these areas. The proposed apartment will have an array of windows facing east. A number of these serve bathrooms and so will be obscure glazed, but there would be two windows on both the first and second floors serving bedrooms. Two of these are near the southern front corner of the eastern elevation and would align with the front gardens of 5 and 7 Brook Street. Two are in the middle of the elevation and would align with the side front garden of No 7. The windows are within 4 and 2 metres of the boundary respectively and due to this proximity and the height of the building it is considered this would result in an unacceptable level of overlooking.

In addition to this the frontage block of buildings will have apartments on the first and second floors with some windows facing north towards the rear gardens of 5 and 7 Brook Street. However, two of these windows serve hallways and two more serve bedrooms located at an angle to the south west of the gardens. These windows are approximately 9 metres from the boundary of these gardens. While this may allow some view over the gardens, it is not considered that the loss of privacy arising here would be unacceptable given these circumstances.

Another amenity issue arising from the proposals relates to the living environment for occupiers of the proposed development itself. Very little private amenity space is being provided for occupiers of the apartments. There are small private garden areas serving the north block of apartments but across site as a whole the provision is minimal. Furthermore, due to the amount of built form being proposed, and the relatively small space between the buildings, the living environment for occupiers of the apartments, especially those on lower floors, may not be pleasant. Parking spaces are located through out the central space on the site an often positioned hard up the edges of the buildings. This, along with the issues noted above about overlooking and loss of trees, further indicates that that proposals represent an overdevelopment of the site.

Landscape/Trees

There is little space on site for planting to mitigate the amount of built form that is proposed to be introduced. Ideally a scheme would allow sufficient space to introduce some more significant soft landscaping or good sized trees to respond to the semi rural context and the heavily treed site of the palace to the south.

In addition to this there are concerns that the important existing trees at the rear of the site could be impacted by the development. The proposals therefore fail to protect or enhance the landscape character of the site and surrounding area.

Highways/Parking

The application seeks to provide 44 parking spaces to be shared between the various

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uses on site. Each apartment would have 1 parking space allocated to it. In line with the Council's parking standards 55 parking spaces would be required, with 1.5 required for each of the 2 bedroom apartments. There might be a case for reducing the required parking standards on this site if it could be demonstrated that the central location in the town and public transport opportunities supported less car use. However, this would need to be fully explored through a transport assessment looking in detail at the proposed uses, local facilities and transport links etc. This is not been provided and to allow less parking than is required with no robust justification is not acceptable. It would be likely to impact on parking provision in the village and / or result in on-street parking elsewhere which could be detrimental to highway safety.

In terms of access, while the proposed access points may be acceptable as they are upgrading existing points, without a proper analysis of the proposed used and arrangement of these through a transport assessment, it is not possible to properly assess whether they would be suitable for the increased development being proposed on the site.

Flood and water management

The site is situated within Flood Zone 1 where there is considered to be a low risk of flooding. If the scheme were acceptable then further drainage details would be required by condition but there are no objections to the scheme on flood or water management grounds.

Ecology

The application is supported by an ecological assessment and there are no objections on ecological grounds.

Conclusion

While the principle of development is acceptable, the scale and design of the proposals are unacceptable and would have an adverse impact on the conservation area, the scheduled ancient monument, on neighbouring properties and the quality of the development as a place to live. Inadequate information has also been provided about archaeology, trees, parking and access.

Recommendation

Application refused for the following reasons:

01. The proposal is contrary to policies CP13 and CP20 of the Winchester Local Plan Part 1 and policies DM15, DM16, DM27 and DM29 of the Winchester Local Plan Part 2 and paragraphs 127, 130, 189, 190, 192-196 of the NPPF in that, due to its scale, height, layout and design, it would not successfully integrate with the locality, and so would fail to preserve or enhance the character and appearance of the conservation area.
 02. The proposal is contrary to policy CP20 of the Winchester Local Plan Part 1 and DM29 of the Winchester Local Plan Part 2 and paragraphs 189, 190, 192-194, 196 and 200 of the NPPF in that, due to its scale, height and layout, it would have a harmful impact on the scheduled monument and how it is experienced.
 03. The proposal is contrary to policy DM26 of the Winchester Local Plan Part 2 and paragraphs 189, 197 and 193-6 of the NPPF in that due to the lack of an adequate
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archaeological desk-based assessment, the lack of information from a field evaluation and the absence of a detailed assessment of harm which may arise from the proposal on buried heritage assets, there is insufficient information to properly assess the impact of the application upon buried heritage assets.

04. The proposal is contrary to policies CP13 of the Winchester Local Plan Part 1, policies DM16 and DM17 of the Winchester Local Plan Part 2 and paragraphs 124, 127 and 130 of the NPPF in that, due to its scale and layout it would result in a significant overdevelopment of the site which would:

- fail to provide good connections within the public realm
- fail to provide adequate space for soft landscaping
- result in a cramped living environment for residents
- result in overlooking of neighbouring properties
- fail to make adequate provision of car parking

As such it will not respond positively to the local environment or its neighbours or provide an attractive and distinctive place.

05. The proposal is contrary to policy CP20 of the Winchester Local Plan Part 1 and policies DM17 and DM24 of the Winchester Local Plan Part 2 in that, due to the lack of an arboricultural impact assessment and method statement, there is insufficient information to properly assess the impact of the application upon trees.

06. The proposal is contrary to policy CP10 of the Winchester Local Plan Part 1, policy DM18 of the Winchester Local Plan Part 2 and paragraph 111 of the NPPF in that, due to the lack of a transport assessment, there is insufficient information to properly assess the impact of the application upon highway safety.

Informatives:

In accordance with paragraph 38 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 after the initial site visit.

02. 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

CP1 – Housing Provision

CP2 – Housing Mix

CP3 – Affordable Housing

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CP6 – Local Facilities and Services
CP7 – Open Space, Sport & Recreation
CP10 – Transport
CP11 – Sustainable Low and Zero Carbon Built Development
CP13 – High Quality Design
CP14 – Effective Uses of Land
CP15 – Green Infrastructure
CP16 – Biodiversity
CP17 – Flooding
CP20 – Heritage and Landscape Character
CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2 – Development Management and Site Allocations (LPP2)

DM1 – Location of New Development
DM2 – Dwelling Sizes
DM6 – Open Space Provision
DM7 – Town, District and Local Centres
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM19 – Development and Pollution
DM20 – Development and Noise
DM21 – Contaminated Land
DM24 – Special Trees, Important Hedgerows and Ancient Woodlands
DM26 – Archaeology
DM27 – Development in Conservation Areas
DM28 – Demolition in Conservation Areas
DM29 – Heritage assets

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

- Bishops Waltham Design Statement February 2016
- High Quality Places March 2015
- Affordable Housing February 2008
- Residential Parking Standards December 2009

Agenda Item 8

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/01049/HOU
Proposal Description: Retention of existing outbuilding in incidental use to the main dwellinghouse following internal and external alterations
Address: Brown Eaves 170 Main Road Colden Common SO21 1TJ
Parish, or Ward if within Winchester City: Colden Common
Applicants Name: Ms Jane Ratcliffe
Case Officer: Liz Marsden
Date Valid: 13 May 2019
Recommendation: Approve



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WINCHESTER CITY COUNCIL
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General Comments

Parish Council's request for application to be determined by Planning Committee, see Appendix 1

Site Description

The site is an area of around 0.13ha, located in the countryside (as defined in the Local Plan) to the south of Colden Common and to the west of Main Road. It is a level area with a, recently extended, house set towards the eastern end of the site, with a double garage in the front garden and a wooden shed close to the rear of the house. The single-storey building, the subject of this application, is located towards the rear (western) boundary.

The area in the immediate vicinity of the site is characterised by detached dwellings of a variety of designs, with those to the east of the road being predominantly single storey. The nearest properties are Woodvale and Tanglemead to the south of the site, both 'chalet' type dwellings with rooms in the roof, and Rosalinda to the north. A single-storey outbuilding of a similar size to this application is located in the grounds of Rosalinda immediate to the north of the site. There is a small industrial estate along Nob's Crook to the south west of the site and a scrap yard located to the west. Despite these features and the busy main road, the area as a whole is rural in character due to the mature trees along the road frontage and to the rear of the site.

Proposal

The proposal is for the retention of the existing building and its use for purposes incidental to the use of the dwelling house. The building is of permanent construction with brick wall and a tiled roof and was originally divided into two halves, each with their own external door, and no connecting doors between them, with further internal sub-divisions in each half.

In recent months, most of the internal walls have been removed, creating a large open area with two smaller rooms and a lavatory. One of the external doors has been bricked up, together with the patio doors in the rear elevation. The main room contains gym and games equipment, yoga area, a sewing area, a large fridge freezer and some storage. One of the smaller rooms is used as a den/memorabilia room and the other contains what appears to be the rear part of a car.

The building has a footprint of 108sq.m and its height has been reduced to 4m at its highest point by the removal of the ridge tiles. The resultant gap in the roof has been sealed by a watertight material. It is set 2m from the boundaries to either side (north and south) and 6m from the rear (west) boundary. The nearest neighbouring property is 'Tanglemead' to the south of the site, which has recently been rebuilt, the rear elevation of which is 10.5m from the side of the building. The outbuilding in the grounds of Rosalinda is set about 3.5m away.

The only access to the building is through the garden of Brown Eaves and with the extension of that property, this access is limited to a narrow passage along the northern boundary, which it would not be possible to get a vehicle down.

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Relevant Planning History

17/00598/HOU – Retention of annexe in rear garden – Refused at Committee 28.06.17 for the following reason:

'The annex in the rear garden is tantamount to a new dwelling in the countryside and does not comply with policy MTRA4 of the Winchester District Local Plan Part 1.'

17/02063/FUL – Retention of existing outbuilding and its temporary use for accommodation during building works to main dwelling. – Refused at committee 16.11.17 for the following reason:

'The outbuilding that has been constructed in the rear garden is tantamount to a new dwelling in the countryside, for which there is no justification, and does not comply with policy MTRA4 of the Winchester District Local Plan Part 1.'

A subsequent appeal against this decision was dismissed, with the Inspector concluding that the provision of kitchen and bathroom facilities, together with a private curtilage served by sets of French doors, indicated that the building is capable of being used as a separate dwelling and was therefore contrary to Policy MTRA4 of LPP1.

18/00048/LDC – Outbuilding ancillary to main house falling under permitted development size requirements. – Refused 05.04.18 on the grounds that *'the local planning authority is not satisfied on the basis of the submitted evidence that:*

- 1) The application can be determined under section 191 as the outbuilding has been deemed by the local planning authority to require planning consent and as a result, it cannot benefit from permitted development rights as at the date of the application; and/or:*
- 2) The application can be fully determined as at the date of application the uses of the dwellinghouse and outbuilding were not taking place, therefore the functional relationship between the two cannot be assessed for the purposes of Class E of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (required for a purpose incidental to the enjoyment of the dwellinghouse) and section 191 T&CP;*
- 3) The outbuilding has been designed as primary residential accommodation, appears to have its own curtilage and to read as a separate planning unit and is not within the curtilage or required for a purpose incidental to the dwellinghouse;*
- 4) It appears the height of the outbuilding exceeds the restrictions of Class E, paragraph E of the GPDO and therefore is not permitted development under Part 1, Class E of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.*

19/00301/LDC - Outbuilding ancillary to main house falling under permitted development size requirements. – refused 18.04.19 on similar grounds to the above case, with the exception of the second reason which stated:

- 2) It appears the height of the outbuilding exceeds the restrictions of Class E, paragraph E of the Town and Country Planning (General Permitted Development) (England) Order 2015.*

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Consultations

WCC Enforcement:

An Enforcement Notice was served on 11.01.19, relating to the use of the building as a dwelling and is currently extant. This Notice will stand in perpetuity, regardless of whether permission is granted for the current application, so that if the building is used as a dwelling at any point in the future, the council can take direct action to remove the building and/or prosecute. The current condition of the building has been inspected and its size and usage accords with the criteria of Class E of the GPDO.

WCC Engineers: Drainage: (from previous application). Site is in area of clay where relatively high levels of runoff are to be expected, but not in area of designated flood risk and providing adequate soakaways installed, no objection.

Representations:

Colden Common Parish Council

- Object, inappropriate development in the countryside.

1 letter received objecting to the application for the following material planning reason:

- Proposal makes a mockery of the planning and enforcement processes as the building should not be there following the service of an enforcement notice.

10 letters of support received for the following material planning reasons:

- The building works undertaken to the site are a great improvement over what was there previously and have a positive effect on the surrounding area.
- Proposal improves local area and approval will bring closure to this long-standing planning issue which has had a negative impact on quality of life for applicant.
- Development has been constructed within lawful permitted development guidelines.
- No problem with the retention of the outbuilding in incidental use to main dwellinghouse following internal and external alterations.
- Building was not designed for residential use and will provide leisure facilities for the enjoyment of the family.
- Hardly visible from the road
- Similar in size to other buildings nearby

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

DS1: Development Strategy and Principles;
CP13: High Quality Design;
CP14: The Effective Use of Land;
CP20: Heritage and Landscape Character;
MTRA 4: Development in the Countryside;

The Winchester District Local Plan Part 2 - Development Management and Site Allocations Development Plan Document (LPP2);

DM1: Location of New Development;
DM14: Local Distinctiveness;

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DM15: Site Design Criteria;
DM16: Site Development Principles;
DM22: Rural character;

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Documents:
Winchester District High Quality Places SPD, 2015;
Colden Common Village Design Statement;

Planning Considerations

Principle of development

The application is retrospective to the extent that the building has already been constructed and therefore, whilst it is necessary to consider whether a structure of this size would have been acceptable in this location, the primary consideration is whether the use of the building is appropriate to this area.

The provision of buildings within the curtilage of and incidental to the use of dwellings is generally acceptable, whether within a settlement boundary or in the countryside, and there are a wide range of permitted development rights that are applicable to most properties, including Brown Eaves.

In this case, the situation has been complicated by the initial construction of the building which was judged to contain primary living accommodation and this, together with the height of the building above permitted development tolerances (by 0.1m), ensured that planning permission was required for the building. As set out in the planning history of the site, this was not granted and subsequent applications for a lawful development certificate also failed on the grounds that it was not considered that the proposal amounted to permitted development under Part 1, Class E of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.

The structure that was originally constructed was therefore unlawful in terms of both its size and potential usage and an Enforcement Notice was therefore served in January this year. There was no appeal against this Notice, which came into force on 15th May and remains extant.

Subsequent to the service of that notice there have been material alterations to the building, notably the reduction in the overall height to within permitted development tolerances, the removal of all but one of the external doors, the removal of the majority of internal wall and the removal of the kitchen/bathroom features that existing formerly. On inspection, the building is not, as was the case at the time of the previous appeal, capable of being used as a separate dwelling and the current usage is for incidental purposes. There is therefore no conflict with the Enforcement Notice.

It should perhaps be noted that, if the building had been constructed in its current form and used for purposes incidental to the dwelling house it would have been permitted development.

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Design/layout

Although a sizeable structure, with a footprint of 108sq.m, the building is set in a large garden and is not considered to result in excessive site coverage or amount to the 50% of the total area of the site that is permitted by the GPDO. In fact, excluding the area of the dwelling house as proposed to be extended, the total built footprint, including the double garage, the outbuilding and a recently constructed wooden shed, amounts to around 15% of the curtilage.

The building is set towards the rear of the garden and has been set 2m away from the side boundaries and 6m from the rear boundary. It is a well-constructed building of brick, with a pitched tiled roof and the doors and windows are double-glazed. It is domestic in appearance but there is no guidance or policy that requires outbuildings to be of a particular design and, providing that the use of the building does not conflict with adopted policies and it is not considered that a reason for refusal could be sustained on this basis.

Impact on character of area

The location and height of the building is such that it is not unduly apparent from public vantage points. There are limited views of the upper part of the gable end from Nobs Crook to the south, where it is seen above the boundary fences of Tanglemead, but the site backs on to a wooded area, which restricts any longer views from the west. The distance from Main Road to the frontage of the site and the position of the house, ensure that it is not visible from this direction. It is not therefore considered that the building has an adverse impact on the character and appearance of the area.

Impact on neighbour amenity

The nearest residential property is the recently constructed dwelling to the south of the site 'Tanglemead', the rear elevation of which is around 10.5m away from the side of the building. There is a close board fence with a trellis above, along the northern boundary of Tanglemead which screens the majority of the building from ground level. Therefore, whilst it is recognised that the building is visible, it is not considered that it is unduly intrusive in or detrimental to the outlook from that property. It should also be noted that, with the removal of the ridge tiles reducing the overall height of the building, it now falls within permitted development tolerances.

The building is used for purposes incidental to the use of the dwelling house and whilst there may be occasions when these cause disturbance, as with any outbuilding in any other domestic curtilage, this is not a planning reason for refusal. There are other forms of regulation that protect residents from anti-social behaviour.

Highways/Parking

The building is used for purposes incidental to the use of the main dwelling house and will not generate a requirement for additional parking spaces. There is no vehicular access to the rear of the garden where the building is located.

Recommendation

Approval subject to the following condition(s):

Conditions

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1. The building shall be used solely for purposes incidental to the occupation and enjoyment of the existing property as a dwelling (known as: Brown Eaves, 170 Main Road, Colden Common, SO21 1TJ) and shall not be occupied as an independent unit of residential accommodation or for any business uses other than by the occupants of Brown Eaves.

Reason: The use of this accommodation as an independent unit would be contrary to Policy MTRA4.

2. The development shall be maintained in accordance with the following approved plans:

070519 1A3 – plans and elevations

Informatives:

1. In accordance with paragraphs 186 and 187 of the NPPF, 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.

In this instance the application is the culmination of a series of applications.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA4, CP13, CP14, CP17, CP20,
Local Plan Part 2 – Development Management and Site Allocations: DM1, DM3,
DM14, DM15, DM16, DM17, DM22

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.

Appendix 1

Comments for Planning Application 19/01049/HOU

Application Summary

Application Number: 19/01049/HOU

Address: Brown Eaves 170 Main Road Colden Common SO21 1TJ

Proposal: Retention of existing outbuilding in incidental use to the main dwelling house following internal and external alterations

Case Officer: Liz Marsden

Customer Details

Name: Ms Clerk to the Parish Council

Address: Parish Office , Colden Common Community Centre, St Vigor Way, Colden Common, Colden Common Winchester, Hampshire SO21 1UU

Comment Details Commenter Type: Parish Council

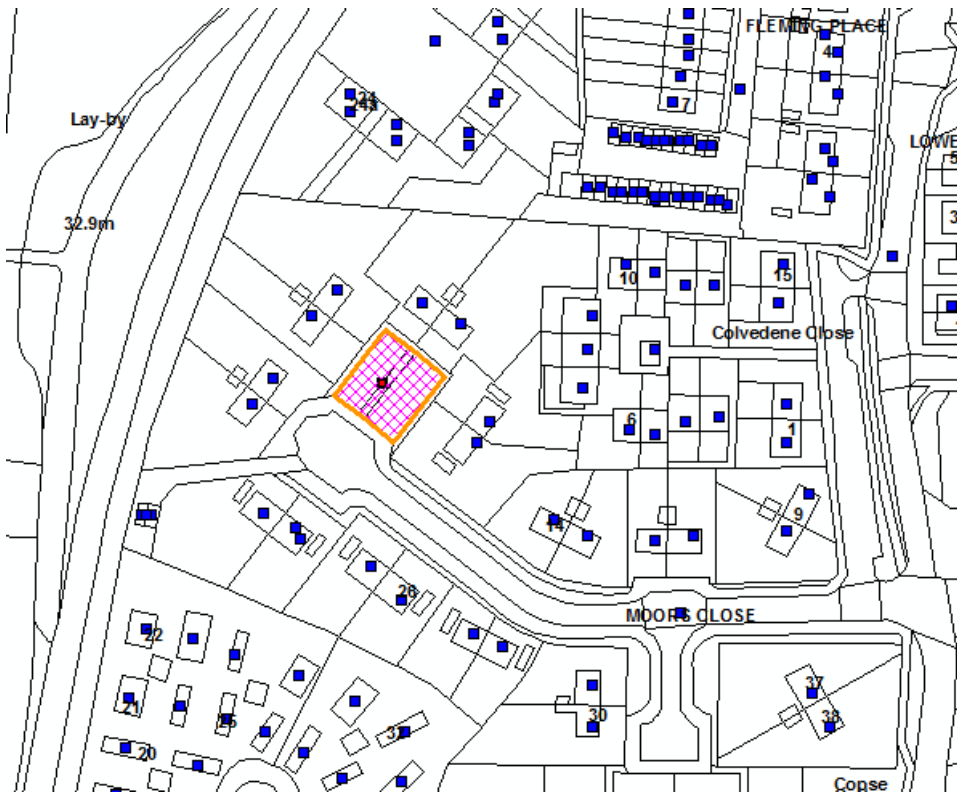
Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The Parish Council objects to this application as it is inappropriate development in the countryside against policy MRTA4. Given the long planning history of the site the Parish Council requests that this application is determined by the Winchester City Council Planning, Development and Control Committee and that a site visit takes place prior to the Committee meeting

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/00896/FUL
Proposal Description: Proposed Car Park
Address: The Green Moors Close Colden Common Hampshire
Parish, or Ward if within Winchester City: Colden Common
Applicants Name: Winchester City Council
Case Officer: Rose Lister
Date Valid: 23 April 2019
Recommendation: Approval



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General Comments

Application is reported to Committee due to the number of comments contrary to the Officer's recommendation.

Site Description

The application site is located at the end of Moors Close adjacent to the turning circle. There area is characterised by a number of properties that face the green making it a focal point for the area. There is a tarmacked path that leads to the centre of the green. There is a large tree to the south corner of the plot.

Proposal

The proposal is for the use of the green as a car park with additional parking made available for residents within the road.

Relevant Planning History

None relevant

Consultations

HCC Engineers: Highways:

'The proposed car parking area is to cater for existing residential properties; the parking demand for which is currently accommodated on-street. A new vehicle crossing (dropped kerb) is to be formed to the end of Moors Close, which is of suitable geometry with satisfactory visibility. The Highway Authority recommends – No objection (no conditions)'

WCC Landscape: Trees

No objection to the proposal subject to condition 3. It is recommended that protective bollards or fencing is installed to prevent cars parking on the remaining grass area and to avoid harming the roots of the retained maple.

WCC Engineers: Drainage:

The proposal is at very low risk of flooding. Surface water runoff should not run onto the highway. No objection subject to condition 4.

Representations:

Colden Common Parish Council supported the application.

A petition supporting the application with 15 signatures has been received.

27 letters received from 22 addresses objecting to the application for the following material planning reasons:

- loss of green space
- safety of residents
- against the character of the area

Reasons aside not material to planning and therefore not addressed in this report

- car park is unnecessary
- waste of money

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- other options haven't been explored

16 letters of support received from 11 households supporting for the following material planning reasons:

- More parking will make the road safer
- Larger vehicles such as bin lorries will be able to enter and leave easier

One neutral comment has been received, however due to the content it has been considered as an objection.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles

MTRA1 – Development Strategy Market Towns and Rural Area

MTRA2 – Market Towns and Larger Villages

CP13 – High Quality Design

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM1 – Location of New Development

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM24 – Special Trees, Important Hedges and Ancient Woodland

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

Colden Common Village Design Statement

Planning Considerations

Principle of development

The development is situated in the settlement boundary of Colden Common, where the principle of development is acceptable, provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

Impact on character of area and neighbouring properties

The proposal would see additional parking made available for visitors and residents of Moors Close. The Green is currently a focal point for the dwellings at the west end of the close with parking only available on the road. The existing turning circle is used for parking for the entire Close and their visitors. The proposal is to be delivered in conjunction with other road improvements to provide further parking for visitors and residents while allowing service and delivery vehicles to access the full length of the road. The area has a green character that would be reduced by the proposal, however a large portion of the Green (approximately 50%) would remain with protective measures in place to prevent further parking on the remaining green space and would maintain a safe place for residents to use and congregate. The current level of parking on the road is

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considered to be high with the green being used for overflow parking. It is considered that the proposal would reduce the haphazard parking that currently takes place and would benefit the community of Moors Close. It is considered that the loss of green space is regrettable however the benefits of the scheme outweigh the loss.

Landscape/Trees

There is a mature Acer on the site, while the tree is not subject to a TPO, it is considered that it still presents a valuable amenity feature. It is proposed that wooden bollards would be placed around the remaining green space to prevent cars passing or parking under the tree and thereby damaging its roots. The proposed parking area would not impact on the tree or its roots. The tree officer raised no objection to the scheme subject to condition 3.

Drainage

The proposal would tarmac over approximately 50% on the green leading to additional surface water run off. However it is considered that this can be accommodated by the highway drains and to ensure this is achieved condition 4, requiring details of drainage, has been recommended.

Highways/Parking

The proposal would increase the amount of parking for the area. The proposal would see 5 spaces created on the green at the end of the close accessed from the turning point at the end of the close. The existing layout is insufficient to accommodate the demand for occupiers of the Close and their visitors with the turning area at the end of the close being used for parking and creating issues of highway safety.

It is not considered that the proposal would result in highway safety issues for the area. The Highways Officer raised no objections.

Conclusion

The proposal is considered to improve the existing car parking issues in the locality whilst retaining a landscaped area that benefits the community. The proposal thus accords with policies DS1, MTRA1, MTRA2, CP13, DM1, DM15, DM16, DM17, DM18, DM24.

Recommendation

Approval subject to the following condition(s):

Conditions

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. The development hereby approved shall be constructed in accordance with the following plans:
7010002/4602A
Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

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3. The timber posts as shown on plan 7010002/4602A shall be put in place prior to any works to the green and retained in perpetuity.
Reason: To ensure protection and long term viability of retained trees, to minimise impact of construction activity and in the interests of the visual amenities of the area.
4. Detailed proposals for the disposal of 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 development commences.
Reason: To ensure satisfactory provision of surface water drainage.

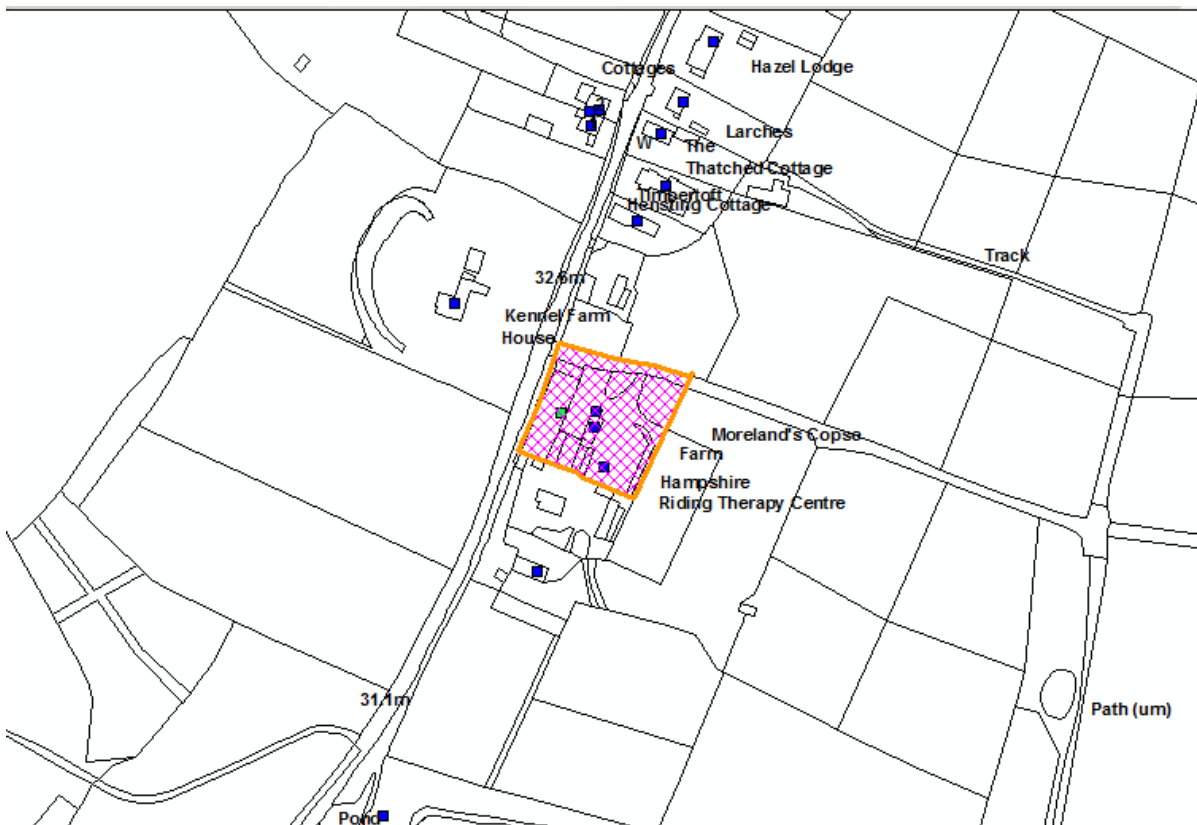
Informatives:

1. This permission is granted for the following reasons:
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) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
Local Plan Part 1 Joint Core Strategy: DS1, MTRA1, MTRA2, CP13
Local Plan Part 2: DM1, DM15, DM16, DM17, DM18, DM24
3. In accordance with paragraph 38 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 applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

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WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/00781/FUL
Proposal Description: Change of use from equestrian use as part of the former Hampshire Riding Therapy Centre to class B1(a) use; including removal of existing redundant buildings, alterations/improvements to the external appearance of retained buildings and provision of enclosures for external plant associated with the heating and cooling of the building
Address: Morelands Copse Farm Hensting Lane Fishers Pond SO50 7HH
Parish, or Ward if within Winchester City: Colden Common
Applicants Name: Mr James Everton
Case Officer: Lisa Booth
Date Valid: 4 April 2019
Recommendation: Application Permitted



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General Comments

Application is reported to Committee as the number of objections received (22 from 20 different addresses) and are contrary to the officer's recommendation

Site Description

Morelands Copse Farm is located along Hensting Lane, Fishers Pond. The buildings the subject of this application previously formed part of a larger equestrian complex. The red site line encompasses a large block built building adjacent to the road and 2 no: smaller brick built buildings to the north and east of the main building. Parking/hardstanding is to the east (rear) of the site, with access road to the north from Hensting Lane.

Other wooden buildings on the site are to be removed and boundaries are mainly post and rail fencing.

The land to the east (open fields) rises significantly beyond the rear boundary fence. Existing equestrian development is situated to the south of the site, with residential dwellings to the north of the site. Public footpath no. 17 runs along the access road and along the land to the north of the site.

Proposal

The proposal is to retain 3 no: buildings and refurbish for use as offices (class B1(a) use) using sympathetic materials. A number of wooden shed type buildings are to be removed. A 1.8m close boarded fence and gate to be erected from the rear of the building to the parking area. Access and parking areas to remain as existing.

Relevant Planning History

None

Consultations

WCC Engineers: Drainage: No objection subject to condition (8).

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk overlain by head deposits.

Foul water is to drain to a new package treatment plant. This should either discharge to a ditch (that has flow all of the time) or a drainage field designed using percolation test results.

Surface water drains to the ditch, as there is a net reduction in contributing impermeable areas this is acceptable despite soakaways being preferred.

WCC Engineers: Highways: No objection subject to condition for parking provision.

Access to the application site is from Hensting Lane, which is a rural unclassified road. The access track is a public right of way.

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Not readily accessible by public transport - nearest bus services 1.2 km from the site. Change of use likely to result in moderate increase in vehicle movements to and from the site. Site access is of adequate geometry with satisfactory visibility. Resultant increase in vehicle movements generated by the development can be safely accommodated at the access and will not result in a detrimental impact on the safety or operation of the local highway network.

Parking area can accommodate 30 cars – adequate for the amount of floor area to be converted. Covered cycle parking is also proposed.

Highway Authority considers that the proposed development will not result in any material highway/transportation implications –

WCC Environmental Protection:

No adverse comments – No details of external plant and associated noise provided

WCC Landscape - Ecology

Comments on Technical Note (ECOSA, 21st June 2019): “The potential impact of the proposed development on Common Toad was addressed within a Technical Note (ECOSA, 21st June 2019). Correspondence with Kathy Wormald from Froglife is included within Appendix 2 of this Technical Note. This states that the conversion is of no concern provided due diligence is taken to insure the suitable habitat is not disturbed.

The applicant has also undertaken an informal study of the traffic along Hensting Lane and concludes that the proposal is unlikely to cause an increase in traffic. The technical note therefore suggests that there will not be an increase in mortality as a result of the operational phase. In order to mitigate potential mortality risk during the construction phase, heavy vehicle movements and deliveries shall be restricted to daylight hours only.

Whilst we appreciate the concern regarding Common Toad this application will not impact the breeding ponds or suitable terrestrial habitat.

Any substantial mitigation measures such as tunnels under the road are outside of the remit of this application. However, we do suggest that the recommendations within this Technical Note are adhered to and any possible enhancement features are included within the proposal.

We also suggest that this crossing site continues to be monitored and should any circumstances change then it may become necessary for mitigation measures to be implemented.”

For Information: Awaiting final bat survey – will be updated in Update Sheet.

Froglife (Undertaken through applicant consultation)

“The only protected amphibians are great crested newts and natterjack toads and if there are any proposed works within 500m of their breeding ponds then a licence has to be obtained from Natural England. As these are common toads in principle no permissions are required or mitigation action, however of course we would recommend that all due diligence is undertaken to ensure that the toads habitat is not disturbed in any way and that obstacles such as new roads or cycle paths etc are built that will fragment their migration routes.

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Toads migrate from wooded areas to their breeding ponds in the spring months and return to the wooded areas after breeding from June onwards. It is also important to note that the juvenile toads leave the breeding pond in their second year and migrate later in the year, Autumn months, to the wooded areas. If as you say there will be no new developments then I don't think there is any concern about the conversion, but as said due diligence does need to be taken to ensure that the habitat is not disturbed."

HCC Countryside Planning - Object and ask that the applicant submit an amended application identifying the right of way and indicating how it will be dealt with within the proposal.

Colden Common Footpath 17 crosses application site/ is proposed vehicular access from Hensting Lane. Increase in parking spaces/ vehicular use of path - likely to cause safety, nuisance and conflict issues for the legitimate and vulnerable users of the public right of way. Likely to be an impact on the amenity and recreational value of the path. Offence under the Road Traffic Act 1988 to drive or cycle over a public footpath without lawful authority. Applicant should demonstrate to the satisfaction of the local planning authority that they have this authority and that this permission extends to development as proposed.

Representations:

Colden Common Parish Council

- No objection

22 letters received from 20 different addresses objecting to the application for the following material planning reasons:

- Concerns will turn this area of South Downs National Park into an industrial estate
- What will be developed on fields to rear?/Open floodgates for further development in the lane
- Impact on the beauty of the area
- Building totally out of character
- Re-design could be a visual improvement
- Not in keeping with immediate surroundings of countryside and residential
- Doesn't serve needs of local community
- Loss of stables serious concern
- Class B1 use allows for any industrial process on site/permitted change to other uses, i.e. class B8 use
- Surrounding land and lane heavily used by walkers/horses/cyclists/runners
- Disturb wildlife – affect the population/migration of newts and toads
- Hensting Lane is an active migration route for smooth newts and common toads – monitored by charity's - registered toad patrol site with the Department of Transport (site ID 437)
- Should look at adequately protecting the toad population. As a minimum, development plans should be incorporate sufficient mitigation for the toad population such as maintaining breeding ponds, leaving a terrestrial corridor for movement between breeding ponds and terrestrial habitat and/or installation of amphibian tunnels in the road section most often crossed by toads
- Increase in traffic volume – highway safety concerns - already used by commuters

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- detrimental
- Potential for large construction vehicles to access and be stored on site
- Limited passing place on lane used by agricultural vehicles – cause congestion
- 30 car parking spaces – indicates possible further expansion¹
- Residents petitioning to reduce speed limit on lane to 20mph

Reasons aside not material to planning and therefore not addressed in this report

- Deprecate the surrounding properties in this beautiful area

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA4, CP13, CP16

Winchester Local Plan Part 2 – Development Management and Site Allocations
DM1, DM16, DM17, DM18, DM23

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance
Colden Common Village Design Statement

Other Planning guidance
Movement, Access, Streets and Spaces
Parking Standards 2002

Planning Considerations

Principle of development

The proposal is for the re-use of redundant equestrian buildings within a countryside location for class B1(a) office use.

The principle for re-use of the buildings for employment purposes is considered to be acceptable and in accordance with policy MTRA4 of Winchester District Local Plan Part 1.

It specifically supports:

- proposals for the reuse of existing rural buildings for employment, tourist accommodation, community use or affordable housing (to meet demonstrable local housing needs). Buildings should be of permanent construction and capable of use without major reconstruction; or
- Expansion or redevelopment of existing buildings to facilitate the expansion on-site of established businesses or to meet an operational need, provided development is proportionate to the nature and scale of the site, its setting and countryside location;
- Development proposed in accordance with this policy should not cause harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise/light traffic generation.

The buildings will be used by a company currently located in Leylands Business Park,
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Colden Common, who wish to relocate the business in order to own their own premises instead of renting.

The principle of the conversion of the existing buildings to class B1(a) office use is considered to be in accordance with development plan policy MTRA4.

Design/layout

It is proposed to sympathetically convert the existing indoor riding arena, office and stable buildings for office use.

The existing brickwork will be retained and made good where necessary on the smaller buildings (1 and 3). The larger building which is currently white painted block work will be clad in a natural finish larch cladding and roofed in dark grey metal profile roof.

There will be small link extensions between the largest building and the smaller buildings, which are in a group close to the road. Other buildings will be demolished and a stable building will be dismantled for possible use elsewhere, subject to any relevant permissions. A small cycle and waste building is proposed within the parking area using the wooden cladding to match the existing building.

The existing hardstanding areas are to be retained and made good where necessary.

A 1.8m high fence and gate, using matching larch cladding, is proposed at the car park entrance within the site.

The application has been assessed in its entirety for conversion of the whole of building 2 to class B1(a) use, but the applicants are proposing to convert in two phases.

Impact on character of area and neighbouring property

The existing buildings are to be sympathetically converted and will use materials that compliment its rural form and surroundings. It is considered that the use of larch cladding on building 2 will result in a visual improvement from Hensting Lane and the public footpath to the north.

There is no additional development that will impact on the visual amenities of the neighbouring residential properties.

New windows are proposed in building 2, but will face the road and towards the car parking area.

In terms of the use of the building, it is considered that an office use is a low key use and will not be any more detrimental than the previous equestrian use that ran 7 days a week, but will be less intrusive in terms of noise and vehicle movements. It is proposed that the building will only be occupied for 5 days in the week, with condition (5) restricting working/delivery hours.

Landscape/Trees

This is a direct conversion and the majority of hardstanding and surrounding boundary treatment will remain as existing.

There are no trees on the surrounding land affected by the proposal.

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Highways/Parking

There has been no objection by the Highway Engineer in terms of vehicle movements and parking.

Further information has been provided by the applicant in order to address traffic issues raised in representations and impact of traffic on migrating toads. An informal study of traffic movements on the previous equestrian use versus the proposed use was undertaken. It was concluded that the proposed use of the site will in fact see a reduction in traffic movements from the previous riding centre use. Whilst it was not disagreed with the Highways officers' comments that the site has the *potential* to generate a moderate increase in traffic on Hensting Lane, it is considered that the proposed use will see a reduction, as demonstrated by the data captured by the study.

It has been suggested that Hensting Lane should be reduced to 20 mph and residents have been petitioning for this to be undertaken. Although the applicant acknowledges this, it has been demonstrated that the development reduces traffic movements and therefore does not adversely affect highway safety and further mitigation is therefore unnecessary in relation to this scheme.

Other Matters

Ecology – As highlighted above Hensting Lane is a migration route for toad. A detailed Amphibian Report has been undertaken and consultation with Froglife, who actively undertake work with the migrating toads in the migration seasons. It was concluded that the conversion of the building and the proposed use will not have any increased impact on the toads than exists at present.

Right of Way – In regard to the Countryside Officer's comments the previous owner had vehicular access rights over Footpath no. 17 and this has been transferred to the applicant on purchase of the land. An informal study of traffic movements on the previous equestrian use versus the proposed use was undertaken and concluded that the proposed use of the site will in fact see a reduction in traffic movements from the previous riding centre use. Therefore, the reasons for the objection are unfounded.

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 Before the occupation of the development, provision for parking and turning shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site car parking provision for the approved development.

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03 The development shall take place using materials as described in Section 7 of the application form hereby permitted and approved 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.

04 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the development hereby permitted shall be used only for purposes within Class(es) B1 (a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order with or without modification) and for no other purpose(s).

Reason: To restrict the use of the premises in the interests of highway safety and local amenity.

05 The buildings shall not be occupied and no deliveries taken at or dispatched from the site except between the hours of 0630 and 2000 Monday to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and recognised public holidays.

Reason: To protect the amenities of the occupiers of nearby properties.

06 Before the heating/air conditioning plant is installed and operated on the premises, a full acoustic report (with a scheme of attenuation measures) shall be submitted and approved in writing by the Local Planning Authority. The equipment shall be installed and maintained in accordance with the approved scheme.

Reason: To protect the amenities of the occupiers of nearby properties.

07 Prior to the occupation of the development detailed scaled drawings of the covered cycle parking shall be 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.

08 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 occupation/operation.

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

09 The recommendations contained within Technical Note (ECOSA, 21st June 2019) shall be adhered to during and after the construction period.

Reason: To safeguard protected species and maintain biodiversity.

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

Drawing No: 459/B/PL/02 - Floor Plans as Proposed
Drawing No: 459/B/ PL/03 - Elevations as Proposed

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

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 after the initial site visit.

02. This permission is granted for the following reasons:
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) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Local Plan Part 1 - Joint Core Strategy: MTRA4, CP13, CP16
Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM16, DM17, DM18, DM23

04. 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.

05. 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.

06. 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

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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.

07 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.

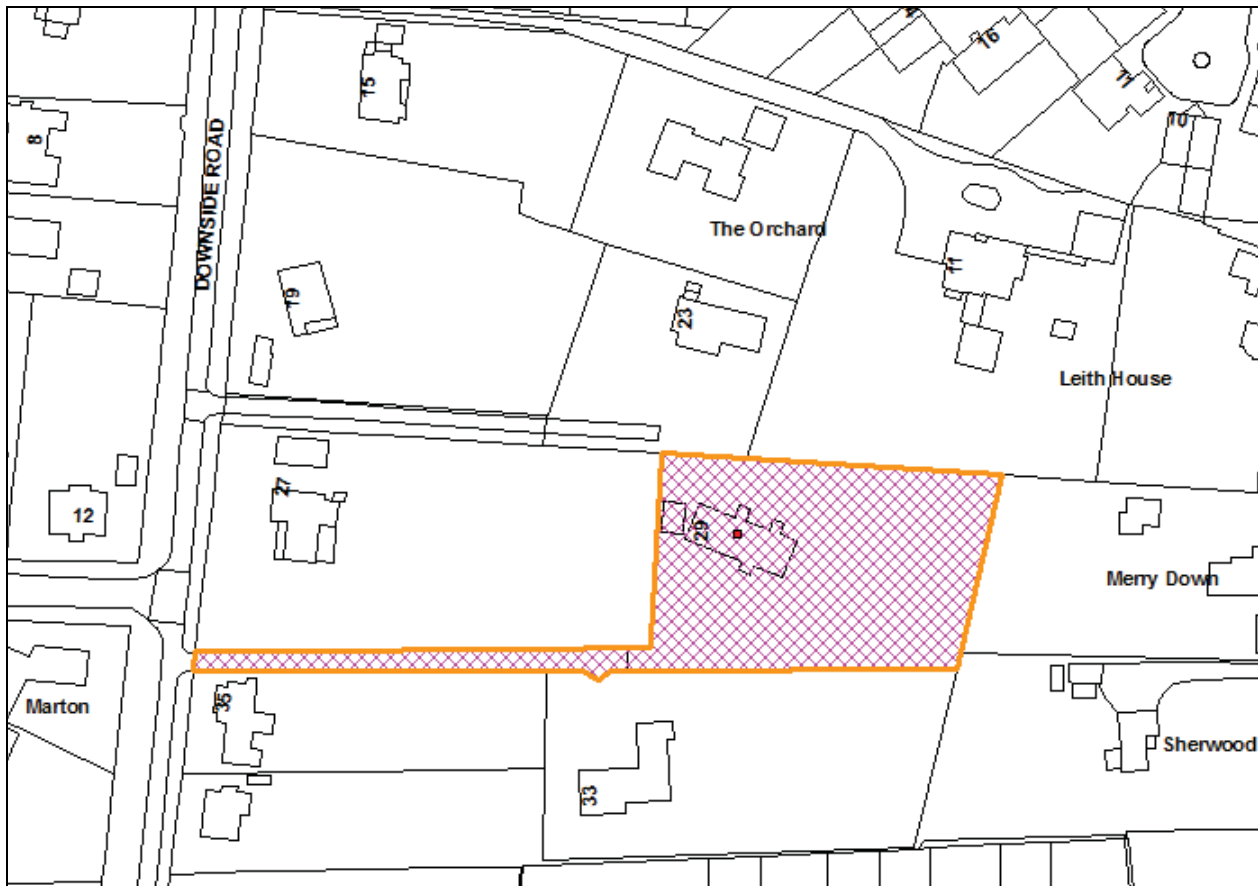
For further advice on this please refer the Construction Code of Practice

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

08 PLEASE NOTE: If foul drainage goes to a ditch it has to be a ditch that flows regularly, otherwise a drainage field would be required and associated percolation tests for the design.

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Case No: 19/00922/FUL
Proposal Description: Application Reference Number: 18/02454/FUL Date of Decision: 10/01/2019
Condition Number(s): Condition 2 (Approved Plans)
Amend approved plans condition to reflect proposed changes to some elevations and repositioning of dwellings within the plot.
Address: Hazelwood, 29 Downside Road, Winchester, SO22 5LT.
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr Richard Wickins
Case Officer: Catherine Watson
Date Valid: 20 May 2019
Recommendation: Application Permitted



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General Comments

Application is reported to Committee due to the number of objections received, contrary to the Officer's recommendation.

The application is for minor material amendments to 18/02454/FUL, which was for redevelopment of the site following the demolition of existing dwelling house at 29 Downside Road and the erection of 3no. dwellings with associated landscaping, and parking.

Site Description

The site is currently occupied by a detached bungalow set within a spacious plot which is accessed by a shared driveway off Downside Road, between numbers 27 and 31 Downside Road. It is situated within the Teg Down area and the settlement boundary of Winchester. The site is well screened from Downside Road so that there are no public views of the bungalow and only glimpses of the site down the driveway. The site is bounded by mature trees, although a closed boarded fence has been erected along the southern boundary and existing shrubbery has been removed from within the site. The site is surrounded by other residential development. The character of the area is predominately detached dwellings in sizeable plots mostly being of two storey construction. There is no uniformity in the architecture of dwellings and there is an eclectic mix of styles and ages of dwellings.

Proposal

Permission has been granted under application number 18/02454/FUL to demolish the existing detached bungalow and construct three dwellings comprising of one four bed detached dwelling (Plot 1), one three bed detached dwelling (Plot 2) and a two bedroom coach house. Plot 1 has a detached double garage, Plot 2 has a single integral garage and Plot 3 has a carport with space for two vehicles. Each plot has ample turning areas and space for additional off road parking. The design of the dwellings is traditional in style with the use of a combination of buff brick and red brick and white render, timber casement windows and slate roofs.

The existing access, which currently serves the bungalow and no. 33 Downside Road, will be retained and used for the proposed dwellings.

Each plot will have its own private rear garden separated by hedgerow planting and side access.

The density of the proposed development would be 12 dph.

The proposed changes are as follows:

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Site Layout.

Plot 1:

- Move plot 1 back into the site by 1.5m;
- Bring the front elevation of plot 1 garage forward by 0.8m;
- Minor reduction in the footprint of the property.

Plot 2:

- Push plot 2 back into site by 0.2m;
- Minor increase in footprint of the property.

Plot 3:

- Minor increase to footprint of the property;
- Increase the ridge height by 650mm.

Elevational Details.

Plot 1:

- Removal of “sun room” in kitchen/dining/family room and replacement with bi-fold doors.

Plot 2:

- Door inserted in south elevation (into garage);
- Window inserted on ground floor south elevation (into garage);
- Window moved along the first floor south elevation by 1.1m;
- Door removed from north elevation and window moved by 0.2m.

Plot 3:

- Window moved along ground floor west elevation by 3m;
- Roof light window proportions amended.

Relevant Planning History

18/02454/FUL - Redevelopment of the site following the demolition of existing dwelling house at 29 Downside Road and the erection of 3no. dwellings with associated landscaping, and parking. (RESUBMISSION). Permitted 10.01.2019.

18/00629/FUL - Redevelopment of the site following the demolition of existing dwelling house at 29 Downside Road and the erection of 2no. dwellings with associated landscaping, and parking. Reasons for refusal: contrary to CP2 in terms of housing mix and contrary to CP14 with regards to the effective use of land. Refused 22.06.2018.

18/00630/FUL - Redevelopment of the site following the demolition of existing dwelling house at 29 Downside Road and the erection of 3no. dwellings with associated landscaping, and parking. Reasons for refusal: contrary to CP2 in terms of housing mix and contrary to DM16 in that it fails to respond positively to the character of the area. Refused 22.06.2018.

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Consultations

Engineers: Drainage:

Drainage condition still applies – sufficient space is required for soakaways and drainage fields in accordance with building regulations.

Hampshire County Council Highways:

Downside Road is a private road and the maintenance of the road is the responsibility of the owner rather than HCC as Highway Authority. The planning application is for less than 5 dwellings and therefore, HCC Standing Advice should be followed.

Head of Landscape:

The site plan submitted with the application shows a difference in the paving layout to that in approved application 18/02454/FUL. The current submitted plan shows a return to larger paved areas, particularly to the front of Plot 1 to the east of the garage and also the size of the patios to the rear of each building. It is recommended that the exterior design for Plot 1 should be as on approved landscape plan 518-103 Rev A.

Southern Water:

No objections to the variation of condition 2 and the comments in response to application 18/02454/FUL remain unchanged and valid.

Head of Landscape: Trees:

No objections provided the arboricultural method statement and tree protection plan are adhered to. Pre-commencement conditions are required to ensure this is being implemented on site. A services plan must also be presented to the LPA in the design phase to ensure that damage to TPO'd trees is kept to a minimum.

Ecology:

An Ecological Assessment was submitted in support of both the previous and current applications. It is noted that the trees and shrubs along the eastern boundary could provide habitat for a number of protected or notable species and will therefore be retained, protected and enhanced within this development.

Representations:

City of Winchester Trust:

Objects. The proposed variations to the approved scheme are modest save for the proposal to increase the size and ridge height of Plot 3 which could set the scene for an early application to increase the size of this dwelling to 3 or more bedrooms, which could perhaps be pre-empted by a suitable condition.

15 letters from 13 properties received objecting to the application for the following reasons:

- The increase in ridge height of plot 3 is significant and could allow this property to expand to a three bedroom or greater property.
- The hard landscaping is excessive and contrary to the Landscape Officer's recommendations.
- The increase in footprint is not a minor change.

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Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy.
DS1, CP1, CP2, CP11, CP13, CP14, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations.
DM1, DM15, DM16, DM17, DM18

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance:
High Quality Places SPD.

Planning Considerations

Principle of development.

The proposal is within the main settlement boundary of Winchester and is therefore acceptable in principle. The application is an amendment to the approved scheme, application number 18/02454/FUL and therefore, the only consideration is the impact from the above listed amendments or change in policy.

CP2 allows for new residential development provided it meets a range of community housing needs. It should provide a range of dwellings types, tenure and sizes with the majority being two and three bedroom homes.

The current proposal is for 1 four bed and 1 three bed and a 2 bed home, and is considered to be appropriate for the character of the area. Comments have been made with regards to the increase in footprint of the dwellings of Plots 2 and 3 and associated increase in ridge height of Plot 3 by 650mm. The concern is that, particularly with Plot 3, this could allow for additional bedrooms at a later date and therefore the overall scheme would not be compliant with CP2. A condition will be included to require the use of the additional roofspace for storage purposes in Dwelling 3 and in Dwelling 2, the integral garage is to be used solely for parking and storage.

Design/layout.

DM15 allows for new development provided it respects the qualities, features and characteristics that contribute to the distinctiveness of the area. Therefore the existing landscape character should be preserved and enhanced.

DM16 permits development which accords with the development plan provided it responds positively to the character of the area in terms of scale, layout and appearance. It should also use high quality materials that are durable and appropriate in the context of the development site. Whilst the form of the proposed dwellings has remained largely the same, there have been some alterations which are discussed below.

It is proposed to demolish the existing detached bungalow and construct three dwellings comprising of one four bed detached dwelling (Plot 1), one three bed detached dwelling (Plot 2) and a two bedroom coach house. Plot 1 has a detached double garage, Plot 2 has
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a single integral garage and Plot 3 has a carport with space for two vehicles. Each plot has ample turning areas and space for additional off road parking. The design of the dwellings is traditional in style with the use of a combination of buff brick and red brick, timber casement windows and slate roofs.

They are traditionally designed and will be constructed in high quality traditional materials using a combination of buff and red brick and white render, slate roofs, and timber windows.

There is no uniformity to the design and style of the houses in the local area and therefore the proposed design is not considered to be out of keeping with the character of the area. Added to this, the site is well screened so that the proposed development will not be dominant or particularly visible in the street scene and are unlikely to have an impact on the character of the wider area.

The proposed dwellings will each have their own private rear gardens which are commensurate with the size of the dwelling and will be subdivided by new hedgerow planting.

There are a number of amendments concerning the layout and detailing of the site and dwellings. The repositioning of the dwellings in Plots 1 and 2 pushes them further into the site and in the case of Plot 1, further away from the protected trees along the northern boundary.

The overall footprint of the Plot 1 dwelling will be reduced from 286.2sqm to 276.8sqm (a reduction of approx. 9.6sqm). The front elevation of the Plot 1 garage will be brought forward by 0.8m. There will be no change to the elevation along the northern boundary and there is sufficient space to the front of Plot 1 to ensure that the garage does not appear visually dominant in relation to the Plot 1 dwelling or the neighbouring dwelling in Plot 3. Design details to be amended in Plot 1 include the removal of the rear single storey sun room element and its replacement with bifolding doors onto an area of raised patio. There are also some minor changes to the fenestration on the north and south elevations.

The overall impact on these proposed alterations, whilst material, are not considered to be significantly harmful to either the character of the entire development, or to have any significant additional impact upon the character of the surrounding neighbour and are therefore considered to be acceptable.

The Plot 2 dwelling is to be moved back into the site by 0.2m and the footprint is to be increased by approx. 4.8sqm from 218.8sqm to 223.6sqm. The integral garage is to remain but a door and a window will be inserted into the east (side) elevation, along with other minor changes to fenestration on the north and south elevations. Concerns have been raised by local residents about the changes to the garage allowing for it to be converted into a bedroom in the future. The submitted plans show the area as being used as a garage and a condition will be added to ensure that it is used solely for vehicular parking and ancillary storage.

The Plot 3 dwelling has an increase in footprint of 11.7sqm, from 101.6 to 112.3sqm. This is to facilitate an increase in bedroom/bathroom space and the first floor by extending into the eaves with an increased ridge height of 0.65m. Given the roof profile, the additional

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space is predominantly to be used for storage and it is not considered that this space would be sufficient as to allow an additional bedroom, for example. Other alterations include an increase in the proportions of the front dormer, reconfiguration of rooflights and a change from timber cladding to a Michelmersh Hampshire Stock Light Multi brick. These alterations, whilst material, are not considered to cause significant harm to the character of Plot 3 as previously approved.

Each plot now shows an area of patio or terrace to the rear which was not part of the approved scheme. These areas will be landscaped to soften their appearance.

Amended plans have been submitted showing an increase in soft landscaping around each plot which is considered to address the comments raised by the WCC Landscape Officer regarding excessive amounts of hard landscaping.

Impact on character of area.

The proposed development would be sited down an existing driveway and set behind mature landscaping. There is a drop in levels from Downside Road to the site resulting in the built form not being prominent or particularly visible in the street scene. The existing landscaping to the boundaries will be retained with additional planting to the southern boundary and additional tree planting to the east boundary to bolster the existing screening to the neighbouring properties.

It is considered that the existing verdant nature of the site will be retained and enhanced and the proposed development is not considered to have a detrimental impact on the character of the area.

Although the design of the two larger dwellings is neo-Georgian which is different to the surrounding properties and the two bed coach house has a semi-rural appearance, there is no real uniformity to the character and design of the dwellings and they are not visible within the context of the surrounding area.

It is not considered that the proposed amendments would significantly alter the impact of the character of the area from the approved scheme.

Impact on neighbouring property.

The site is surrounded by neighbouring properties and the rear gardens of these properties will abut the proposed site. The existing driveway currently serves the existing bungalow and no. 33 Downside Road so this will be the most affected in terms of access and vehicular movements. In terms of the built form the plot nearest to the boundary is set back from the built form of no. 33 so it is considered that there will be no direct overlooking into this property. The only first floor window proposed in the elevation facing no. 33 will serve bathroom facilities so will be obscurely glazed and will therefore not lead to any overlooking.

The new terrace to Plot 2 wraps around the dwelling with a narrow strip along the southern elevation with a distance of approx. 1.25m at it's nearest between the edge and the boundary with no 33. The rear terrace is situated approx. 5.25m from the boundary with 33. The side terrace is accessed from the front of the dwelling and the side door into the garage. It is anticipated that this area will be used to access the rear garden and the main activity will be to the rear. A plan showing levels and sections of the terrace in relation to the boundary will be required to ensure that it is of an appropriate height. It is noted that

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there is already screening in the form of 1.8m high closed boarded fencing, as well as a number of established trees and shrubs within the garden of no 33. It is therefore not considered that the amenities of no 33 will be significantly impacted by the proposed amendments.

The properties to the rear, Sherwood and Merry Down are considered not to be adversely impacted by the proposed development in terms of overbearing and overlooking, as these are at a sufficient distance from the proposed dwellings. Whilst the Plot 1 dwelling is being pushed back into the site by 1.5m and Plot 2 by 0.2m, it is not considered that there would be any significant additional harm to the amenities of these neighbouring properties as the mature screening along the boundary is to be retained and supplemented with native species hedging.

Equally the adjacent properties 27, 23 and 11 Downside Road are a sufficient distance away from the proposed dwellings to ensure that the proposed amendments will not cause any overlooking or overbearing.

Added to this there is existing mature landscaping on all boundaries with additional planting proposed to the southern boundary which will ensure that there is sufficient screening to the adjacent properties.

Overall it is considered that the proposed development would not have an adverse impact on the amenities of the neighbouring properties in accordance with DM17.

Landscape/Trees.

A mature Douglas fir on the northern boundary with 23 Downside Road (and within the curtilage of no 23) is subject to a tree preservation order. The tree's roots are likely to be situated within the footprint of the detached garage belonging to Plot 1 and therefore require protection. Revised plans and arboricultural impact assessments have been submitted showing the new root protection area in relation to the repositioned dwellings which is considered to be acceptable.

The paved parking areas were considered large in comparison with the overall size of the site and therefore revised plans have been submitted showing additional areas of soft landscaping with details of species and planting density, particularly around the newly introduced terraced areas. Details of materials proposed for the terraces will be required to ensure that they are appropriate for the setting.

Highways/Parking.

No reference with regards to highway safety, parking or traffic was given in the reason for refusal for either of the previous applications. There has been no change to the layout of the access and driveway and therefore the material considerations remain the same.

The existing access and driveway will be retained and utilised for the new development. This currently provides access for the existing bungalow and no. 33 Downside Road. A Construction Management Plan is required to be submitted prior to commencement of development to ensure construction traffic accesses the site in a safe manner and storage of materials is onsite.

Concerns have been raised by local residents that the additional traffic would impact highway safety, particularly that of local children using the track to access no 27.

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Downside Road is a private road and therefore does not form part of the public highway. Whilst the driveway is narrow it is straight with very good forward visibility. It is not considered to be a safety risk due to the limited number of additional traffic movements. The information submitted for the approved scheme demonstrates that the development will only generate 1 additional traffic movement in the am peak period and 2 in the pm peak period, with a total of 13 additional traffic movements on average spread over a 24-hour period. This is considered acceptable.

The proposal makes adequate provision for the parking and turning of vehicles in accordance with the adopted standards. There is adequate visibility from the access road junction with Downside Road which is in accordance with the Manual for Streets. Parking will be provided by detached garages providing sufficient car parking spaces for each plot as well as space for turning vehicles so that they can leave the site in a forward gear. The proposal therefore accords with DM18.

Ecology.

The application has been submitted with an Ecological Assessment which lists a number of recommendations to be adhered to, to ensure that the ecology is protected and enhanced on site. A condition is recommended to ensure that the ecology on site is protected and enhanced.

Conclusion.

In conclusion it is considered that the proposed amendments to the development are acceptable having no adverse impact on the character of the area or neighbouring properties in accordance with policy. The application is therefore recommended for approval subject to the conditions as listed below.

Recommendation

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

Time limit.

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).

Approved Plans.

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

Drawing No: L1 Location Plan received 20.05.2019

Drawing No: D100 C Site Plan received 03.07.2019

Drawing No: D101 B Dwelling 1 Proposed Floor Plans received 25.04.2019

Drawing No: D110 B Dwelling 1 Proposed Elevations received 25.04.2019

Drawing No: D111 A Dwelling 1 Proposed Elevations received 25.04.2019

Drawing No: D112 A Proposed Car Port received 25.04.2019

Drawing No: D201 B Dwelling 2 Proposed Floor Plans received 25.04.2019

Drawing No: D210 B Dwelling 2 Proposed Elevations received 25.04.2019

Drawing No: D211 A Dwelling 2 Proposed Elevations received 25.04.2019

Drawing No: D301 A Dwelling 3 Proposed Floor Plans received 25.04.2019

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Drawing No: D310 A Dwelling 3 Proposed Elevations received 25.04.2019

Drawing No: TSP-KC/DOWNSIDE/003 Rev C Tree Protection Plan received 20.05.2019

Drawing No: 518-0105 Planting Plan received 12.06.2019

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

03 The integral garage space in Plot 2 hereby permitted shall only be used for parking and ancillary storage purposes and for no other use at any time. The additional roofspace to be created in Plot 3 is to be used for ancillary storage purposes and for no other use at any time.

Reason: To accord with the terms of the application and to ensure that the development remains compliant with Policy CP2 of Local Plan Part 1.

Pre-commencement conditions.

Highways.

04 A Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted. The Construction Management Plan shall include the following details:

- 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.
- Dust suppression, mitigation and avoidance measures.
- Measures for minimising construction waste and provision for the re-use and recycling of materials.
- A plan showing the location of storage of materials within the site.
- Code of Construction Practice for all works and operations on the site.

The Construction Management Plan shall be adhered to throughout the duration of the construction period.

Reason: In the interests of highways safety and to protect the amenity of surrounding occupants during the construction period.

Drainage.

05 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 development commences.

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

Energy and water (pre-commencement).

06 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 to 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.

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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.

Levels.

07 No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, including the proposed terraces, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

Trees.

08 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement – Technical Arboriculture ref. AIA/AMS-KC/SH/DOWNSIDE/003 Revision C dated May 2019, and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: To ensure the protection and retention of trees on site.

09 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 Ref: AIA/AMS-KC/SH/DOWNSIDE/003 Revision C dated May 2019 Telephone - Principal Tree Officer. 01962 848403.

Reason: To ensure the protection and retention of trees on site.

10 The Arboricultural Officer shall be informed 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 848403.

Reason: To ensure the protection and retention of trees on site.

11 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.

Reason: To ensure the protection and retention of trees on site.

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

Reason: To ensure the protection and retention of trees on the site.

13 No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Report ref: AIA/AMS-KC/SH/DOWNSIDE/003 Revision C dated May 2019.

Reason: To ensure the protection and retention of trees on site.

14 Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Method Statement Ref: AIA/AMSKC/SH/DOWNSIDE/003 Revision C dated May 2019 shall be agreed in writing to the Local Planning Authority.

Reason: To ensure the protection and retention of trees on site

Landscape.

15 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.

Materials.

16 No development above DPC shall take place until details and samples of the materials to be used in the construction of the external surfaces of the 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.

Energy and water (pre-occupation)

17 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 equivalent to 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 approved in writing by the Local Planning, Authority. The development shall be occupied in accordance with these findings.

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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.

Ecology.

18 The recommendations within section 5 of the Ecological Assessment (Peach Ecology, May 2019) shall be adhered to throughout the construction period and the enhancement provisions and planting will be sited prior to the development coming into its intended use and retained thereafter.

Reason: To safeguard protected species and maintain biodiversity.

19 Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and protected species from light pollution.

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 after the initial site visit.

02 This permission is granted for the following reasons:

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) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Winchester Local Plan Part 1 - Joint Core Strategy: DS1, CP1, CP2, CP11, CP13

Winchester Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18

High Quality Places SPD.

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.

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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 A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

06 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

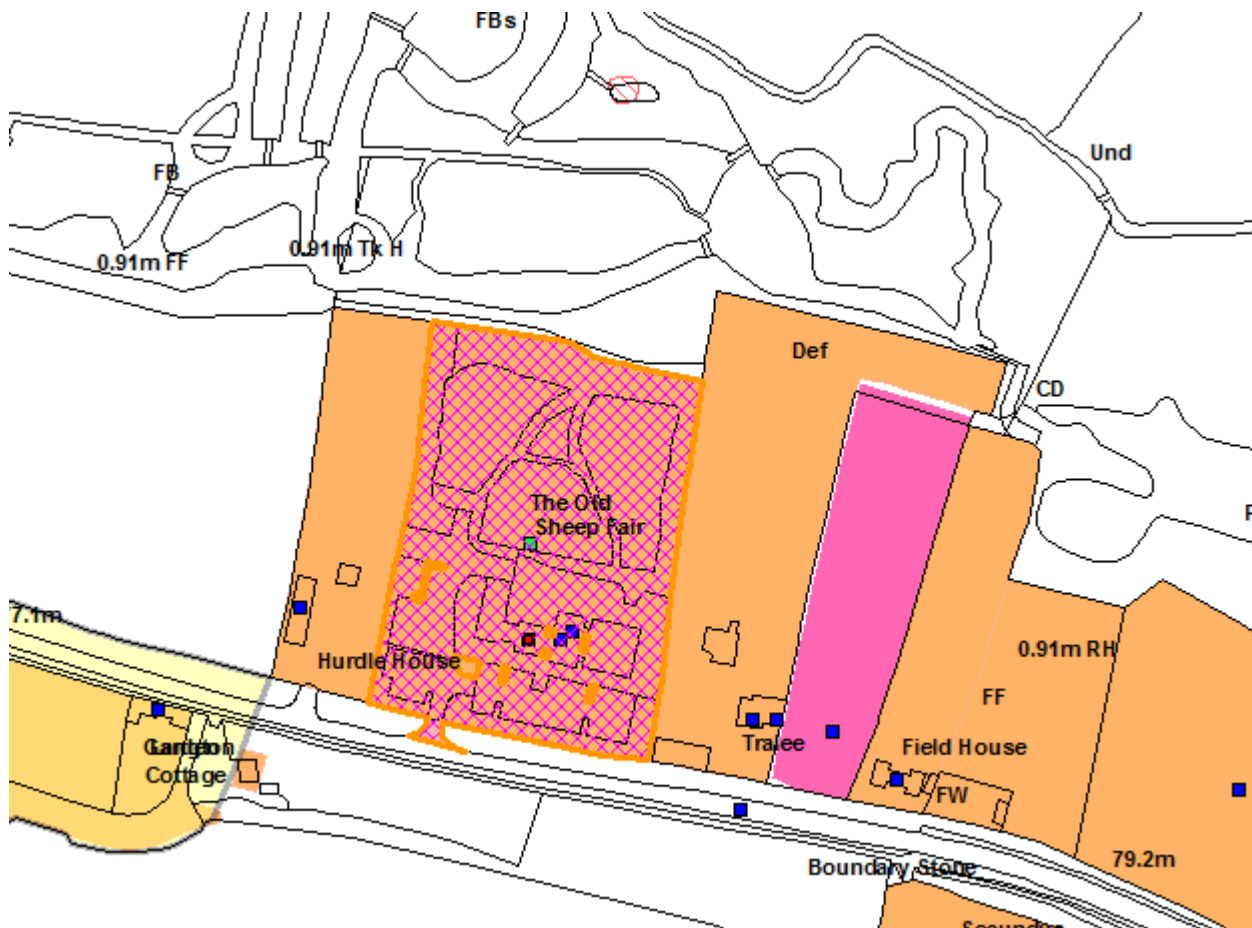
Your contact details

The appropriate fee

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

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Case No: 19/00619/FUL
Proposal Description: Variation of condition 2 of planning permission 13/02145/FUL (Amended).
Address: Old Sheep Fair, The Long Barn Bishops Sutton Road Alresford SO24 9EJ
Parish, or Ward if within Winchester City: New Alresford
Applicants Name: C/O Gillings Planning
Case Officer: Verity Osmond
Date Valid: 11 April 2019
Recommendation: Approval



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General Comments

The application is reported to Committee due to the number of public comments received in objection to the application which is contrary to the recommendation for approval.

The proposed wording of condition 2 was amended on 1st July 2019 to read as follows: The amendments are to part (g) and part (i). Part g of the condition has been revised to clarify the percentage floor area to be occupied by the café. Part i of the condition has also been revised to include the percentage floor area of additional goods. The 'and associated items' has been removed from part (i) for clarity and to ensure the condition is enforceable in the future.

The storage area, mail order office and general sales area hereby approved shall only be used for the sale, storage and distribution of the following items;

- a) Trees, lavender plants and plants of all kinds, dried and fresh cut lavender, wreathes and associated items;
- b) Long Barn by-products (products made using Long Barn botanical ingredients, oils and extracts);
- c) Composts, peats and other goods associated with plant/garden care;
- d) Pots and containers of all kinds;
- e) Traditional garden sundries including hand tools, tools, raffia, twine, gloves, aprons, baskets, rugs, cloches, plant supports, obelisks, ornaments, and associated items;
- f) Seeds and bulbs, dried, artificial and cut flowers and goods associated with their care and maintenance;
- g) Ancillary indoor and outdoor seating for the serving of refreshments which shall comprise no more than 17% of the total space available at ground floor level as defined as the coloured zones on Drawing LB001.
- h) Space for workshops or events, limited to no more than 15 workshops in any calendar year
- i) Homewares, food and drink, gifts and cards, stationery, clothing, jewellery, garden wildlife and dog care products which shall comprise no more than 8% of the total space available at ground floor level as defined as the coloured zones on Drawing LB0001.

Site Description

The application site is located on the northern side of Bishops Sutton Road. To the east of the site is New Alresford Town Centre and to the south west is the village of Bishops Sutton. The site is approximately 1.2 hectares in area with the land sloping away from the road towards the rear of site and Old Alresford Pond.

The existing barn on the site is used as a garden centre which has been operational since 2009. There is a single vehicular access to the site from Bishops Sutton Road with parking to the front of the barn which is set behind a row of hedging to the road frontage.

Proposal

The proposal seeks to vary condition 2 of 13/02145/FUL to regularise the current operation by authorising the sale of additional products and for the size of the café area to accurately reflect the current operation on site.

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The applications seeks to authorise the sale of homewares, food and drink, gifts and cards, stationery, clothing, jewellery, garden wildlife and dog care products and expand the café seating area to 17% of the total retail floorspace.

Relevant Planning History

97/00089/FUL- Market garden for produce, horticulture together with the erection of a facilities building with sales area, 1 no greenhouse and 6 no polytunnels and associated parking - Refused 29/05/1997 - Appeal Allowed 18/11/1997.

01/02355/FUL- Market garden for produce, horticulture, together with the erection of a facilities building with sales area, 1 no. greenhouse and 6 no. polytunnels (renewal of planning permission W06446/02) - Permitted 09/01/2002.

09/00899/FUL - Variation of condition 5 of planning permission W06446/03 (Design and Access Statement and Appendices updated on web site 11.06.2009) - Land Adj Hurdle House Bishops Sutton Road Alresford Hampshire - Application Permitted - 29/09/2009

10/02580/FUL- Construction of a mixed-use facilities building (410 sq m GEA) comprising sales area (Class A1 - 190 sq m net), two treatment rooms (Class D1 44 sq m net), gallery/events/meeting space (Sui Generis - 36 sq m net), kitchen, office space, plant room, storage, toilets and lift; external display/sales area (Class A1 - 907 sq m net); associated access, car parking and landscaping; regular holding of classes/seminars/events and serving of refreshments (PART RETROSPECTIVE) – Application Refused – 23/02/2011

11/01162/FUL: Serving of a limited range of refreshments (mainly teas, coffees and cakes) for a temporary period (July to September 2011 only) between the hours of 9.30am and 4.30pm Mondays to Saturdays and 10.00am and 4.00pm Sundays and Public Holidays, for the consumption on the site only (i.e. not for takeaway), to be served and consumed outside of the building only; and siting of a maximum of 20 seats and associated tables on the rear terrace only – Application Refused – 26/08/2011

11/01702/FUL - The retention of the facilities building (410 sq m GEA) comprising an area for the display and sale of plants, gardening goods, Long Barn products and Long Barn by-products (190 sq m net), use of first floor for office and storage space, a space for staff meetings and country craft workshops (36 sq m net), serving of refreshments in the building (20 seats) and on the plant terrace (20 seats), associated kitchen, office space, plant room, storage, toilets and lift; external display/sales area (907 sq m net); associated access, car parking and landscaping (part retrospective) (RESUBMISSION) – Application Permitted 31/02/2012

13/02145/FUL - (AMENDED DESCRIPTION AND PLAN) Extensions and alterations to existing mixed use facilities building including the erection of a covered plant sales area (275 square metres) and covered link and extension to the existing barn comprising, storage, packing and despatch of customer orders, storage of machinery, stock, distillation plant equipment, seasonal displays, shelving / racking, enclosed loading / delivery bay for delivery of goods and customer toilets (398 square metres gross internal floor area). Variation of condition 5 attached to planning permission ref. 11/1720/FUL to enable trading between 08.30 and 17.30 seven days a week at Long Barn Winchester Ltd, The Long

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Barn, The Old Sheep Fair, Bishops Sutton Road, Alresford, Hampshire, SO24 9EJ –
Application Permitted 22/08/2014

15/01175/FUL - Reduce height of tiled roof, larger central glazed area – Application permitted 27/07/15.

17/02254/FUL - Retrospective application for the provision of an additional 28 car parking spaces including 2 disabled spaces – Application Permitted 25/10/17

18/01743/FUL - Siting of an authentic shepherds hut within the grounds of Long Barn, The Old Sheep Fair, and to use it to provide a space for beauty treatments- Application Permitted 03/10/18

Consultations

Head of Strategic Planning:

The application requires clarification in respect of the quantum of additional goods proposed to be retailed from the site and it is not clear how many restaurant seats would constitute ancillary. The level and type of items to be retailed from the site that are not Lavender Barn or associated products (as set out in condition 2) is critical as a retail outlet and restaurant in the countryside would be contrary to the NPPF Chapter 7 Ensuring the vitality of town centres and a sequential test would need to be undertaken. A retail outlet and restaurant in the countryside would also be contrary to the policies of the development plan (policy DS1, MTRA2, MTRA4, CP8 of LPP1 and DM1, DM7 of LPP2) and may be harmful to the shopping centre in Alresford. Strategic Planning Team 7th May 2019.

Since the above comments were received, further retail assessments have been undertaken which have been considered by the strategic planning team. The retail studies indicate that additional items being shown at Long Barn are unlikely to have a significant impact on local businesses.

Economic Team

The economic and tourism team at Winchester City Council are unable to support this variation of condition 2 of planning permission 13/02145/FUL because of the potential impact on Alresford town centre. The condition was originally put in place to avoid competition with the shops in Alresford's West and Broad Street whilst allowing the Long Barn business to expand.

The variation to condition 2 seeks to remove the seating limit for the café currently set at 20 and to enable the Long Barn shop to sell homewares, food and drink, gift and cards, stationery, clothing, jewellery, garden wildlife and dog care products. It is noted that there are currently a number of cafés and shops selling these items in Alresford town centre.

A survey¹ indicated that nearly three quarters (72%) of shops in the town centre area are unique to Alresford. These independent quaint shops coupled with a town centre renowned for its pastel-painted Georgian house and the Watercress Line visitor attraction add to the town's visitor appeal further boosting the economy. The most recent visitor survey showed that the total expenditure by visitors (overnight and day) to Alresford is estimated to have been over £7 million.

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Nationally high streets are under pressure due to an increase in online sales and rising costs. There are currently at least three vacant shop units in Alresford town centre. Alresford Chamber of Commerce have indicated in their consultation response that a large number of their members have been clear about the detrimental financial impact on their business as a result of the failure of the applicants to comply with planning condition 2. It would be useful to commission further research in the form of an economic health check for Alresford which quantifies the current footfall and trading situation and recommends actions supporting the vibrancy of the High Street.

It should also be noted that Long Barn provides parking to support the town centre and employment opportunities for local people.

Alresford Chamber of Commerce

The high street is the heart of the Alresford community. Its popularity is due to the diversity and large number of independent retailers. The chamber does not want to see the high street fragmented or denuded. The Alresford Chamber of Commerce has been aware of the Long Barn's business proposition since 2010. The applicant initially presented their proposal to the Chamber committee prior to the barn being built and it received general support. The Chamber continues to support Long Barn as a valued local business as long as they adhere to the planning permission and conditions they were granted as per 11 01702FUL. Long Barn has developed and grown as an Alresford business which the Chamber is here to encourage. However this retrospective application along with further investigation has made the Chamber aware that the initial conditions and restrictions that the Chamber supported have not been adhered to. A large number of our members have been clear about the detrimental financial impact on their businesses of Long Barn's failure to comply with the terms of their granted planning permission. Therefore Alresford Chamber of Commerce objects to this application and cannot offer its support.

Representations:

New Alresford Parish Council:

NATC have been awaiting an economic report from WCC to recognise if Longbarn has positive or negative effect on the town. This report has not been forthcoming so in light of this it was resolved that conditions g) and i) on Longbarn have to remain in a modified form that is clear and enforceable. The committee would like to see the actual number of seats as proposed to a percentage of area taken for seating and to itemise the products in condition i) as proposed to 'associated items'. This will make the conditions less ambiguous. These specifics should be sorted out by WCC Planning on the proviso that any forthcoming data establishes that there is no impact on the town.

139 letters received objecting to the application for the following reasons:

- Impact on local businesses
- Impact on vitality of high street
- Impact on long term economic sustainability of the town centre
- Impact on footfall within the town centre
- Impact of expansion of café
- Impact of planning creep at the site

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- Non-compliance with original planning conditions
- Use not appropriate for out of town location

Reasons aside not material to planning and therefore not addressed in this report

- Long Barn using suppliers of competing businesses
- Long Barn deliberately ignoring planning rules
- The use of the Long Barn as a supermarket within the future
- Behaviour of Long Barn owners

189 letters of support received.

- Support for local independent business
- Increased visits to the town
- Linked trips between the town centre and application site
- Outside interest in the area by bringing in non-residents
- Employs local people
- Supports local business
- Increased footfall within town centre
- Local and sustainable products
- Important to the local community
- Encourages return trips to Alresford

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 Development Strategy and Principles
MTRA4 Development in the Countryside
CP8 Economic Growth and Diversification
CP10 Transport
CP20 Heritage and Landscape Character.

Winchester District Local Plan Part 2 – Development Management and Site Allocations

DM1 Location of New Development.
DM7 Town, District and Local Centres
DM18 Access and Parking
DM23 Rural Character

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Planning Considerations

Principle of development

The application site is not located within a defined settlement boundary, therefore countryside policies apply. The proposal seeks to regularise the selling of goods at the site which were not authorised by the previous planning consents 11/01702/FUL and 13/02145/FUL which allowed the use of the buildings on site for the sale of plants, gardening goods, Long Barn by-products, ancillary indoor and outdoor café seating, associated kitchen, office space, plant room, storage, toilets and lift, external display area, access, car parking and landscaping.

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Noted above is the condition as proposed to be varied, which would be amended from the approved condition 02 on planning permission 13/02145/FUL as follows:

The storage area, mail order office and general sales area hereby approved shall only be used for the sale, storage and distribution of the following items;

- a) Trees, lavender plants and plants of all kinds, dried and fresh cut lavender, wreathes and associated items;
- b) Long Barn by-products (products made using Long Barn botanical ingredients, oils and extracts);
- c) Composts, peats and other goods associated with plant/garden care;
- d) Pots and containers of all kinds;
- e) Traditional garden sundries including hand tools, tools, raffia, twine, gloves, aprons, baskets, rugs, cloches, plant supports, obelisks, ornaments, and associated items;
- f) Seeds and bulbs, dried, artificial and cut flowers and goods associated with their care and maintenance;
- g) Ancillary indoor and outdoor seating for the serving of refreshments which shall comprise no more than 17% of the total space available at ground floor level as defined as the coloured zones on Drawing LB001.
- h) Space for workshops or events, limited to no more than 15 workshops in any calendar year
- i) Homewares, food and drink, gifts and cards, stationery, clothing, jewellery, garden wildlife and dog care products which shall comprise no more than 8% of the total space available at ground floor level as defined as the coloured zones on Drawing LB0001.

National and local plan policies seek to protect the character of the countryside and also recognise the important role that economic development plays in the countryside. Policy DS1 of WDLPP seeks to apply a town centres first approach to retail. In this instance the existing use of the site is also a pertinent consideration as retail has already been allowed on the site. The main consideration is therefore whether the proposed expansion of goods on site accords with local plan policies or causes material planning harm.

Policy MTRA 4 of Winchester District Local Plan Part 1 allows for certain type of development outside the defined settlement boundaries which includes the expansion or redevelopment of existing buildings to facilitate the expansion on-site of established businesses or to meet an operational need, provided development is proportionate to the nature and scale of the site, its setting and countryside location.

The Long Barn business has expanded since its establishment in 2009 and the applicant has identified the need to diversify the sale of goods in the current retail climate with threats from online shopping and increasing business rates. Notwithstanding this, the applicant has provided detailed sales figures which show that the additional products only take up 8% of the total retail floor space originally approved under 13/02145/FUL. The sale of additional goods is therefore considered to be proportionate to the nature and scale of the site and compliments the main use of the barn as a garden centre.

Impact on New Alresford Town Centre

Significant concern has been expressed in regard to the impact of the proposal on local business within New Alresford Town Centre. Retail information has been sought from both Long Barn and local businesses to establish whether there is any significant harm

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rising from the sale of additional goods from Long Barn in accordance with the advice from the Economic Development team in response to the concerns

The information submitted shows that there is a decrease in turnover for some local businesses within Alresford. It is first important to consider that turnover is not an indicator of profitability of a business, and secondly there is no evidence to prove that this decrease in turnover is caused by the sale of additional goods at Long Barn.

There are many factors which impact on a local business. The Centre for Retail Research confirms that factors resulting in a decline in retail include weak consumer demand caused by slow growth, the triumph of online retailing, intensive price competition and the fall in the share of consumer spending on retail merchandise in favour of travel, eating out and experiences. Business rates have also increased which impacts on traders but not for online retailers who have low operating costs that can sell a more diverse range of products at a much lower price.

The applicant has provided a retail study which demonstrates retail expenditure with New Alresford and the surrounding areas has increased since 2004. The study focuses on two postcode areas, SO24 0 and SO24 9.

The data provided by the applicant has been obtained by Oxford Economics and is supported by Turley Economics who were commissioned to prepare the Population and Expenditure Data note submitted as part of the application. The information provided is therefore considered to be independent and un-biased.

The data shows that in terms of absolute numbers, retail expenditure per person has increased in both SO24 0 and SO24 9 postcode sectors.

- **SO24 0:** Total per person retail expenditure was £5,661 per annum in 2004; in 2019 this figure is £7,152.25, equivalent to an increase of 26.3% over this timeframe.
- **SO24 9:** Total per person retail expenditure was £5,570 per annum in 2004; whereas in 2019 the figure is £6,972.20, equivalent to an increase of 25.2%.

This increase in retail expenditure since 2004 indicates that there is increased spending power amongst the population of these two postcode areas in which both the local business of New Alresford Town Centre and Long Barn are situated.

The retail study demonstrates that expenditure within the SO24 0 and SO24 9 postcode areas on Long Barn's main retail offer has increased since 2004 and shows a continued high demand for these products.

Expenditure within the SO24 0 and SO24 9 postcode areas have increased since 2004. Expenditure on clothing and jewellery has also increased significantly indicating that there is sufficient spending power within the local area to support existing shops within the District Centre selling these products in addition to the small number of products stocked by Long Barn.

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Vacancy rates are a key indicator of the success of a high street, a vacancy rate is the percentage of available retail units that are vacant or unoccupied at a particular time. High vacancy rates indicate that a high street is not operating well while low vacancy rates can point to strong retail sales.

A town centre health check was submitted originally with the planning application which stated that there were vacant units with New Alresford Town Centre, which is considered to be a relatively low vacancy rate. Since submission of the application in March this year, the vacancy rate has decreased to 1 unit, which is an exceptionally low figure. This demonstrates that there is still current retail investment within the town centre and suggest the high street is functioning well. Furthermore, if the town centre was not performing well or if footfall were low, it would be unusual to witness the introduction of new businesses.

Footfall

Significant concern has also been expressed in regards to the decline in footfall in recent years to the town centre. The applicant has commissioned a footfall survey of the town centre that was undertaken on 26th, 27th and 28th June 2019. This has been compared with a previous footfall survey that was conducted in 2016 under the same methodology.

The results from the most recent 2019 survey, conducted outside Wessex Pharmacy, exceed the figures recorded in in 2016 for both non-market days and market days, which indicates that the high street is still attracting a high level of footfall.

Local Economy

Paragraph 82 of the NPPF seeks to support a prosperous rural economy advising that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. This is supported by Policy MTRA 4 and Policy CP8 which allow for diversification of rural businesses.

Customer surveys indicate that Long Barn attracts visitors from the local area but also district/nationwide visitors which is considered to be beneficial to the local economy. Surveys conducted on 311 participants between 19th -23rd of June 2019 revealed that 32% travelled from less than 5 miles, 26% travelled from 6-10 miles, 20% travelled from 1-20 miles, 22% travelled from that 20 miles.

Furthermore, given the proximity of the site to the town centre, it is considered that there is the potential for linked trips between the two sites. 299 participants responded to the question '*When visiting Long Barn, do you visit the District Centre?*'. The results of this survey indicate that 58.2% of those who responded to this question also travelled into the District Centre as part of their visit to Long Barn. This amounts to 174 individuals over the 5-day survey period and indicates that there are trips into the District Centre which would not have occurred otherwise.

To increase the number of linked trips further, Long Barn has recently installed a New Alresford District Centre map in the car park. The main aim of this is to advise customers from further afield of the services and facilities within the District Centre and to encourage more linked trips to the benefit of local businesses. This is considered to have the

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potential to enhance the vibrancy of the high street.

Long Barn provides parking to support the district centre and employment opportunities for local people' by employing a total of 54 staff (10 full time and 44 part time / 23 full time equivalent) and uses many of the local businesses. It is considered that Long Barn generates economic benefit to New Alresford in terms of employment opportunities for local people, contribution to visitor spending, attraction of visitors to New Alresford and use of local retailers and services.

Café Seating

In addition to retail sales at Long Barn, there is also an existing ancillary café. In establishing the principle of the original planning application at Long Barn, a great focus was placed on the need to encourage visitors to stay longer and spend more money within the town. The café was considered to be part of the overall experience of visiting Long Barn and an ancillary facility in encouraging people to visit the site. The original permission granted consent for a mixed use facility with a café of 20 indoor and outdoor seats so the principle of having a café on the site has already been established.

Since the original permission the Long Barn business has expanded with the café also increasing in size; the applicant states that the existing restriction on seating is no longer sufficient to support the café element of the business. In general terms, cafés are often considered a part of the standard product in offer in many garden centres throughout the country and are considered to be integral components of the business. The café is considered to be an important part of the business moving and includes additional employment opportunities at the site.

Notwithstanding this, regard must be given as to whether the café with its increase in floor area would remain ancillary to the main use of the building. The submitted sales floor area plan shows that the indoor and outdoor café space will take up 17% of the total floor area of Long Barn, leaving 8% to the sale of the additional homewares and 75% for the sale of garden and long barn related products. The total floor retail floor area of the barn is 1341 sq metres; the café therefore occupies 227m² of this total floor area which is under a quarter total floor area.

The entirety of the café floor space is unlikely to be used on a daily basis, as the seating area at Long Barn is designed to offer choice, inside or outside and does simply offer quantity. The use of both indoor and outdoor cafes spaces is therefore likely to be more seasonal in its use. It is considered that conditioning floor area in comparison to number of seats is more appropriate and enforceable in regards to this application as the many of the seats are in the form of benches which can fit a varying amount of people on.

The increase in café floor area and how this space is used, to offer choice not a maximum amount of seating, is considered to be proportionate to the main use of the building as a garden centre and is an important part of the Long Barn business. The expansion of the existing café is considered to accord to Policy MTRA 4 of WDLPP1 and Policy DM7 of WDLPP2 as it is not considered to detract from or result in a harmful impact on the town centre.

Conclusion

The sale of additional goods and increase in café seating is considered to be

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proportionate and ancillary to main use of Long Barn. There is no evidence to indicate that the sale of these additional products has a harmful impact on local businesses with Alresford. Retail expenditure within New Alresford has risen since 2004 which indicates that there is sufficient spending power within the local area to support existing shops within the town centre selling these products in addition to the small number of products stocked by Long Barn.

The proposal is considered to accord with the Development Plan and the following policies: DS1, MTRA4, CP8, CP10, CP20 of Winchester District Local Plan Part 1 and DM1, DM7, DM18, DM23 of Winchester District Local Plan Part 2.

Recommendation

Approval subject to the following condition(s):

Conditions

1. The development shall be implemented in accordance with the approved plans and thereafter retained in accordance with the uses and distribution as specified on plan reference numbers;

D1309 01 rev B site layout
D1309 05 Ground floor and roof plan
D1309 06 Lower Ground and Attic Floor Plans
D1309 07 Elevations
LB0001 Sales Areas by Description

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of the amenities of the area.

2. The storage area, mail order office and general sales area hereby approved shall only be used for the sale, storage and distribution of the following items;

- a) Trees, lavender plants and plants of all kinds, dried and fresh cut lavender, wreathes and associated items;
- b) Long Barn by-products (products made using Long Barn botanical ingredients, oils and extracts);
- c) Composts, peats and other goods associated with plant/garden care;
- d) Pots and containers of all kinds;
- e) Traditional garden sundries including hand tools, tools, raffia, twine, gloves, aprons, baskets, rugs, cloches, plant supports, obelisks, ornaments, and associated items;
- f) Seeds and bulbs, dried, artificial and cut flowers and goods associated with their care and maintenance;
- g) Ancillary indoor and outdoor seating for the serving of refreshments which shall comprise no more than 17% of the total space available at ground floor level as defined as the coloured zones on Drawing LB001.
- h) Space for workshops or events, limited to no more than 15 workshops in any calendar year
- i) Homewares, food and drink, gifts and cards, stationery, clothing, jewellery, garden wildlife and dog care products which shall comprise no more than 8% of the total space available at ground floor level as defined as the coloured zones on Drawing LB0001.

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Reason: The development hereby permitted is intended as an extension to the existing Long Barn business and it is appropriate to restrict the use of the extension in a similar manner, and in the interests of the amenities of the area.

3. No storage, access or encroachment shall occur within the boundary of the SSSI at any time.

Reason: To safeguard the Alresford Pond SSSI.

4. The building and associated uses hereby permitted shall not be open to the public outside the hours of 0830 - 1730.

Reason: To protect the amenities of the occupiers of nearby properties.

5. No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site except between the hours of 0830 and 1730.

Reason: To protect the amenities of the occupiers of nearby properties.

6. No retail sales shall take place on the first floor of the existing building.

Reason: For the avoidance of doubt and in order to ensure that the Local Planning Authority can exercise control in the locality in the interest of local amenities and the character and appearance of the area.

Informatives:

1. This permission is granted for the following reasons:

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) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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

Winchester District Local Plan Part 1 (2013): DS1, MTRA 4, CP8, CP10, CP20

Winchester District Local Plan Part 2 (2017): DM1, DM7, DM18, DM23

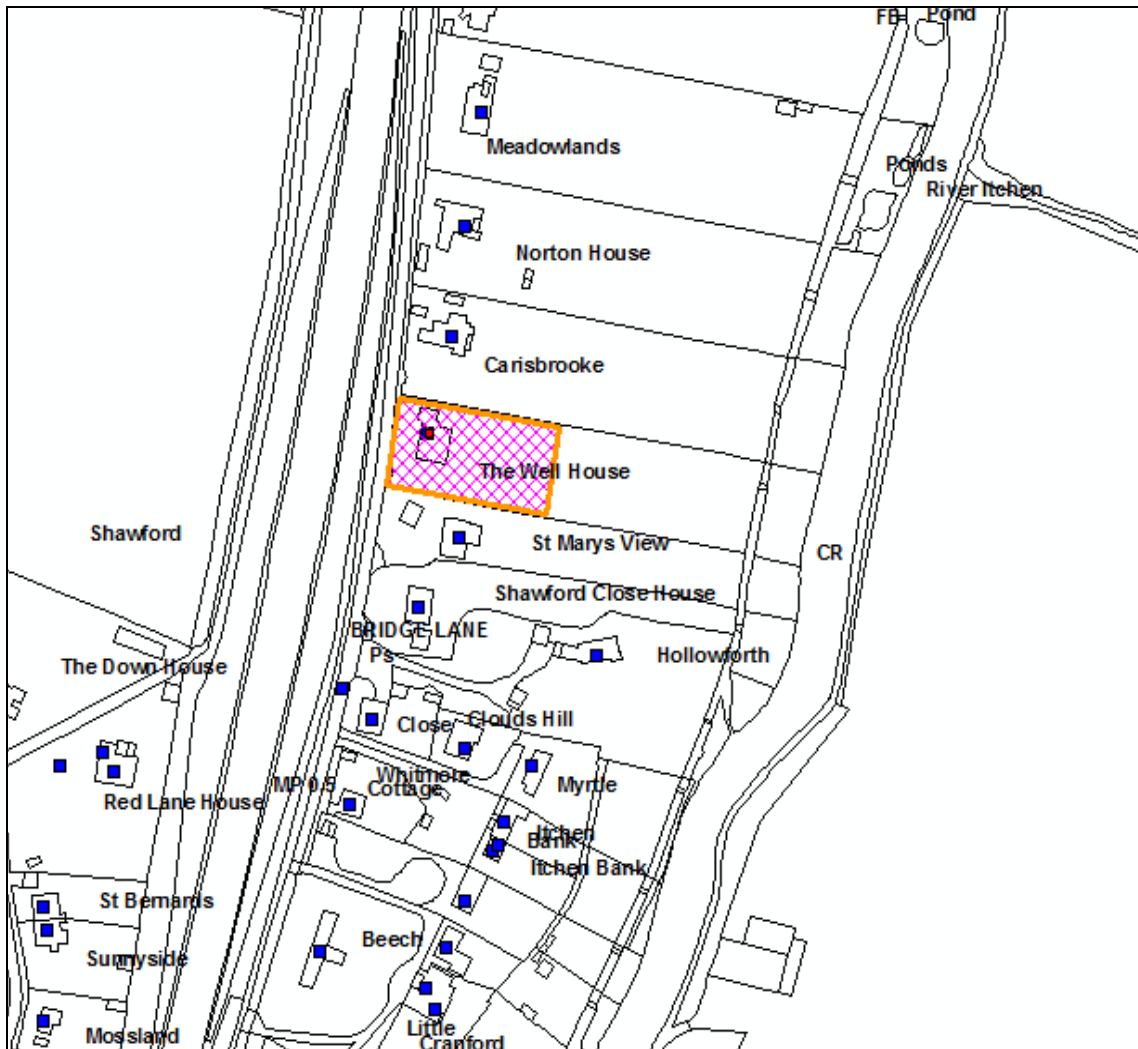
Winchester District High Quality Places Supplementary Planning Document

3. 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.

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Case No: 18/02792/FUL
Proposal Description: Demolition of existing building with replacement dwelling
Address: The Well House, Bridge Lane, Shawford, SO21 2BL.
Parish, or Ward if within Winchester City: Compton And Shawford
Applicants Name: Mr & Mrs Walsh
Case Officer: Catherine Watson
Date Valid: 6 December 2018
Recommendation: Application Refused



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General Comments

The application is reported to Committee due to the number of letters of support, contrary to the officer's recommendation to refuse.

Site Description

The existing dwelling is a two storey detached property situated within a spacious plot on Bridge Lane, Shawford with views towards the Itchen Navigation and across Twyford Down. The village of Shawford is located approx. 3km south of Winchester, but does not have a settlement boundary as defined in policy MTRA3 of Local Plan Part 1.

The plot is linear in form, sloping down from the Bridge Lane frontage to the Itchen Navigation, a watercourse forming part of the River Itchen SSSI.

Proposal

The proposal is for the demolition of the existing dwelling and for its replacement with a large, contemporary style dwelling which extends down the sloping garden and includes areas of hard landscaping, including paved terraces and pool to the rear and a forecourt and courtyard garden to the front.

Relevant Planning History

09/01383/FUL - Single storey side extension to replace existing conservatory. PERMITTED.

08/00553/FUL - Single storey side extension to replace existing conservatory. PERMITTED.

00/02618/FUL - 1.8m high boundary wall & railings. PERMITTED.

Consultations

Engineers: Drainage:

The site is in Flood Zone 1 and is at very low risk of flooding, with chalk geology. A foul sewer is available to the rear of the property for foul drainage and it would be beneficial to local this sewer in case a diversion is required. Surface water drainage details are required showing that storage for a 1 in 100 year storm event, plus an allowance for climate change can be provided. Hardstandings should be permeable where possible.

Engineers: Highways:

The proposal does not contain any significant highways issues and is unlikely to impact on highway safety.

Head of Landscape:

Whilst its bulk and height are less than the existing house, its style and appearance do not sit comfortably with either the pattern of building on Bridge Lane and elsewhere in the village or its landscape setting.

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Policy DM15 requires that development should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area and the local Village Design Statement requires that all development should “reflect and respect the character of the local area”.

The proposed new dwelling would not be in keeping with its context and landscape setting and would appear out of place, unduly prominent and harmful in views from the riverside footpath and the National Park. This would be exacerbated at night if light was emanating from the large areas of glazing to the rear. The proposal fails to contribute to the distinctiveness of the village and cannot be supported.

Natural England:

The application is within close proximity to the River Itchen Special Area of Conservation (SAC) and River Itchen Site of Special Scientific Interest (SSSI). There are concerns that the proposals, without suitable mitigation, may have adverse impacts upon the River Itchen during the construction phase. To mitigate the impacts during the construction phase, a Construction Environment Management Plan (CEMP) should be submitted to and approved in writing by the district ecologist and this should be controlled by condition.

The development presents the opportunity for the implementation of Sustainable Drainage Systems (SuDS) which will help to reduce the level of surface storm water runoff. Should the application be recommended for approval, a Habitats Regulations Assessment (HRA) should be undertaken to rule out Likely Significant Effects.

The site is close to a nationally designated landscape (South Downs National Park). National and Local policies should be used and the decision should be guided by Para. 172 of the NPPF. The application should be assessed as to whether the development would have a significant impact on or harm the statutory purposes of the National Park.

South Downs National Park Authority:

The proposed development would be visible from the National Park from both close range and long distance views, including the Itchen Way long distance walking route. The Council should be satisfied that the proposed new dwelling, materials and landscaping suitably responds to its context and landscape setting and would “not appear out of place, unduly prominent or harmful in views from the National Park”.

The National Park is a designated International Dark Sky reserve and dark skies and tranquillity are a special quality of the National Park which need to be protected. It is noted that large expanses of glazing are currently proposed on the east elevation of the dwelling, a significant increase in comparison to the existing dwelling. This glazing and associated light spill could be prominent in night time views from the National Park and it is requested that consideration is given to reducing the amount of glazing or the use of low transmittance/tinted glazing. It is noted that external lighting will be kept to a minimum and will be directional or hooded as required, which is welcomed. The Council must ensure that there is no harm caused to the internationally important habitat of the River Itchen SAC and SSSI and the specialist views of Natural England should be sought.

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Representations:

Compton and Shawford Parish Council

- A neutral stance would be taken by the Parish Council. It is strongly recommended that the Planning Committee add a criteria with regards to contractor's traffic. The road is very narrow and has few parking areas, most of which are used by station traffic. Access should be maintained for the residents and contractors should park on site. Any damage to the road should be repaired by the contractor.

Twyford Parish Council

- Whilst the site is not within the parish boundary, there are views of it from within the parish. Of particular concern is the size of the three rear windows and the proposal would represent a very visible change to the current domestic setting. It would also impact upon the SAC and setting of the National Park and public rights of way.

15 letters from 13 addresses received objecting to the application for the following reasons:

- Loss of an attractive Edwardian home;
- The design and materials are not appropriate for the location;
- The road is narrow and there are likely to be problems from builders traffic;
- If permitted, this would set a design precedent for the rest of the village.

9 letters received in support of the application for the following reasons:

- A bold, contemporary design;
- Less obtrusive than the existing dwelling.

1 letter neither supporting nor objecting to the application.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
DS1, MTRA1, MTRA3, CP13, CP16, CP19, CP20.

Winchester Local Plan Part 2 – Development Management and Site Allocations.
DM15, DM16, DM17, DM18, DM23, DM24

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance
Compton and Shawford Village Design Statement
High Quality Places SPD

Other Planning guidance
Winchester District Landscape Assessment

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Planning Considerations

Principle of development

The proposal is for the demolition of an existing dwelling and construction of a replacement dwelling and associated hard and soft landscaping. The principle of a replacement dwelling within the countryside is acceptable in principle, subject to compliance with relevant planning policy.

Design/layout

The existing dwelling, constructed in the late 19th/early 20th century is a two storey, detached house with mock Tudor gable details, red brick walls and slate roof covering. It has been extended at various times in the past however, retains a relatively compact footprint in relation to the rest of the plot. To the front is an area of hardstanding used for vehicular parking and which can be accessed through one of the two entrances to the site. Along the front boundary, between the two accesses, runs a traditionally detailed brick and flint wall. To the rear of the house, the garden has been terraced down towards the river, with an area of patio immediately adjacent to the rear elevation and lawn, interspersed with shrubbery and mature trees along the boundaries.

The proposed dwelling is a low profile, two storey detached property of a highly contemporary design. To the front of the plot, it is set back from the existing building line of the existing dwelling and presents a single storey to the street. The elevation takes the form of a centrally recessed element with a wing on either side. To the front of this is a large area of hardstanding with soft landscaped areas adjacent to the front brick boundary wall, which is to be retained, and to either side boundary inside the two accesses.

To the rear, the building becomes two storey as it extends down the slope. Three large feature windows are proposed for the rear elevation which take a “box” form and have recessed glazing. The immediate space to the rear of the dwelling is given over to areas of terrace and an outdoor swimming pool.

Proposed materials include weathered bronze for the three rear first floor boxes, striated concrete for the ground floor and a flat sedum roof.

The existing dwelling has a gross external floor area (GEA) of 534.3sqm, whilst the proposed has a GEA of 584.2sqm – an increase of 49.9sqm or 9.3%.

Whilst it is acknowledged that the proposed dwelling is in itself of a high quality design, it is not considered that it is contextually appropriate for this site in terms of its appearance, form, massing and spread across the site. Additionally, the significant areas of hard landscaping and associated domestic paraphernalia, are not considered to be an appropriate use of the plot and do not enhance the semi-rural nature of the surrounding area.

The existing dwelling, although previously extended, retains a relatively well defined footprint and is situated in close proximity to the front boundary, with comparatively small areas of hardstanding to front and back and is considered to preserve the open and verdant nature of the plot.

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Conversely, the mass of the proposed dwelling extends across almost the entire width of the plot. The 9% increase in floor area, whilst it could be argued is not great, is exacerbated by the spread of buildings and associated hard landscaping and other residential development, across the width and length of the site.

The proposed dwelling is set further back into the plot, which increases the space to the front. Because of this, there is a disproportionate amount of paved area, with only limited areas of planting to soften it.

It is therefore not considered that the proposal is acceptable in terms of the impact of its design, scale, form and massing on the existing plot.

Impact on character of area and neighbouring property

Bridge Lane is a linear street running from Shawford Road, the main road through the village, and terminating in an unmade track which links to a public right of way. Development is restricted to the eastern side of the road and to the west, runs the main London to Poole railway line.

Whilst there is some backland development towards the southern end of the street, mostly consisting of bungalows and small cottages, the majority of the dwellings are set to the front of large, linear plots which slope eastwards towards the Itchen Navigation and Twyford Down. Towards the northern end of the street, where it becomes unmade, houses have been set further back from the road however, the plots are substantially smaller than those in the central area, where the building line is of a regular nature and therefore have a different character.

The predominant form of the existing dwellings is of two storey detached properties of traditional proportions and spanning a date range between the late 19th and early 21st centuries. The applicant has not identified a prevailing character of development along Bridge Lane.. Whilst there is some individual variation in form and design details and finishing, as is to be expected on a series of dwellings constructed over a period of more than a century, it is clear that there is a prevailing pattern of development which follows a similar orientation of two storey dwellings facing the street and boundary treatments consisting of low brick and flint walls with supplementary planting. This linear planning layout is confirmed in the Compton and Shawford VDS as being typical throughout the parish and the strongly verdant setting also contributes significantly to the distinct character of the Lane..

The proposed development is therefore not considered to respect the character of the street scene, both in terms of its low height, spread across the width of the site and setback from the street frontage. The contextual analysis submitted by the applicant is not considered to address these key issues.

The VDS also states that "Building materials should be sympathetic with neighbouring properties and be in harmony with the character of the area" (C.4, p.18) and the High Quality Places SPD states that whilst contemporary materials can be effective, they should be carefully related to the context (para 7.55, p. 75). The applicant's Design and Access statement states that the proposed materials pick up on the tones of those used in the area which it identifies primarily as red brick with clay tiles or slate roofing. It states that the proposed weathered bronze cladding with its reddish brown tones ties in with the

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existing. Whilst this material can have a high quality appearance, it is not considered appropriate in this setting. Neither does the proposed striated concrete pick up on any of the materials used throughout the rest of the street.

The applicant maintains that the low profile of the building along the road frontage allows views from users of the road, above the dwelling and across to Twyford Down. Views from the street, other than through the gaps between buildings, are not a characteristic of Bridge Lane. Instead, the houses take advantage of these views from the rear of their homes where they can be enjoyed at leisure and it is not considered that the potential views afforded by the low profile of the proposed dwelling give any significant wider public benefit. Policy CP13 of LPP1 states that development will be permitted where it can be demonstrated that an analysis of the constraints and opportunities of the site and its surroundings have informed the principles of the design and that the design details respond positively to its neighbours and the local context. It is not considered that the proposed development complies with this policy.

To the rear the proposed dwelling has an imposing appearance, with the three large window “boxes” being a distinctive feature. It is recognised that the applicant wishes to maximise his outlook across the beautiful landscape however, the box forms are not considered to be an appropriate response to this desire. The bold, contemporary appearance is not in keeping with the character of the rear views of the plots from the Itchen Footpath and from further afield and would appear to be incongruous in such views. Furthermore, the dwelling makes no effort to address the sloping nature of the site, with the first floor level to the rear and ground floor level to the front being set at the same height. The significant areas of hard landscaping, including terraces and a pool, further emphasise the increase in built form within the plot, contrary to the prevailing character.

Landscape/Trees

The Landscape Officer acknowledged the quality of the building, but considered it to sit uncomfortably within the street scene, the village and the surrounding landscape.

The key factor is the impact upon the setting of the South Downs National Park, the boundary of which starts to the west across the Itchen Navigation. The SDNPA commented that it required further information, including a photomontage of what the likely views would be when seen from Twyford Down, which is within the National Park. It was not considered expedient for the applicant to provide this given the Council’s fundamental objection to the form and design of the proposed development.

Concerns were raised with regards to external lighting. The SDNP is a designated Dark Sky reserve and any external lighting should be kept to a low level of luminance. The applicant proposes to comply with this and ensure that any lighting is hooded. The large areas of glazing to the rear are likely to transmit light from within the dwelling and are therefore considered to harm the special qualities of the National Park.

The site is within the Lower Itchen Valley Landscape Character Area and the views across Twyford Down towards Shawford are mentioned as a key characteristic. The Built Form Strategies (Winchester District Landscape Character Assessment, p. 122) in this area include the following:

- Conserve local traditional building form and materials, such as red brick, white colour washed brick, flint, clay plain tiles and promote their use in any new development.

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- Protect and enhance the rural setting of settlements within the character area, by resisting inappropriate development or development in unsuitable locations.

It is not considered that the proposed development accords with these strategies, nor with policy DM15 of LPP2, which states that development should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area, as well as conserving or enhancing recognised public views and features. DM23 states that development will not be permitted if it has an unacceptable effect on the rural character by means of visual or physical intrusion or any impact upon the tranquillity of the area.

Policy CP20 of LPP1 states that particular emphasis should be given to conserving recognised built form and natural landscapes that include features and elements of natural beauty, as well as local distinctiveness, especially in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting.

For the reasons discussed above, the proposed development is not considered to comply with these policies.

A number of trees will be removed to facilitate the development, including a large western red cedar along the boundary with St Mary's View to the south, which is subject to a TPO. This tree has been labelled as a Category B tree in the applicant's Arboricultural Survey and has an expected life of 30+ years. No evidence has been given as to why it is deemed acceptable to remove this tree, other than to facilitate the development, and it is considered that the tree is an important part of the character of the area, being visible from Bridge Lane.

Ecology and Biodiversity

The site is within close proximity of the River Itchen SAC and SSSI, which is nationally and internationally designated for its ecological value. Any development would have the potential to impact harmfully upon the watercourse and therefore, mitigation and protection measures should be put into place during and after the construction process. Natural England as the statutory consultee advised that should the officer be minded to permit the application, a Construction Environment Management Plan (CEMP) should be submitted prior to determination to ensure that no harm is caused to the designated watercourse by means of runoff, dust and noise during the construction process and after occupation. Natural England also required the LPA to undertake a Habitats Regulations Assessment to demonstrate that it was satisfied that less than significant harm would be caused to the designated watercourse. As the LPA was minded to refuse the application on other grounds, this has not been progressed and a reason for refusal is therefore recommended.

As part of the submission, a Bat Survey was undertaken by the applicant which recorded several species of bat traversing the site. It was considered that the existing dwelling held some possibility of bat access and evidence within the loft space was discovered. The surrounding trees were considered to be of value for foraging bats and it was recommended that bat boxes be installed on the new dwelling to provide suitable roosting habitat.

Highways/Parking

Adequate parking in the form of hardstanding and garaging has been provided on site and the Highways Officer did not consider that there would be any significant highway

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safety issues.

It is noted that should any development take place on the site, the narrow width of Bridge Lane, which is also a cul-de-sac, would require that a Construction Management Plan be submitted ensuring that contractors' vehicles be able to park and turn safely on site and any impact upon the road surface is minimised.

Recommendation

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

01 The proposed replacement dwelling and associated development is considered to be unacceptable in terms of its impact upon the character of Bridge Lane and the wider surrounding landscape and designated features, including the South Downs National Park and River Itchen SSSI and SAC, as well as nearby public rights of way.

The proposal represents an incongruous form of development with regards to its design, form, massing and materials which does not respect the features of the Landscape Character Area, as identified in the Winchester District Landscape Character Assessment and is contrary to Policies DS1, MTRA1, MTRA3, CP13, CP16, CP19, CP20 of Local Plan Part 1 adopted 2013; DM15, DM16, DM17, DM18, DM23, DM24 of Local Plan Part 2 adopted 2017, and the High Quality Places SPD.

02 The proposal is contrary to Policy CP16 of Local Plan Part 1 adopted 2013 as it fails to provide a Construction Environment Management Plan (CEMP) showing mitigation and protection measures to ensure that no harm is caused to the designated watercourse by means of runoff, dust and noise during the construction process and after occupation, thereby having a harmful impact on the River Itchen SAC and SSSI, which is nationally and internationally designated for its ecological value.

Informatives:

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.

In this instance a site meeting was carried out with the applicant.

2.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA3, CP13, CP16, CP19, CP20.

Local Plan Part 2 – Development Management and Site Allocations: DM15, DM16, DM17, DM18, DM23, DM24

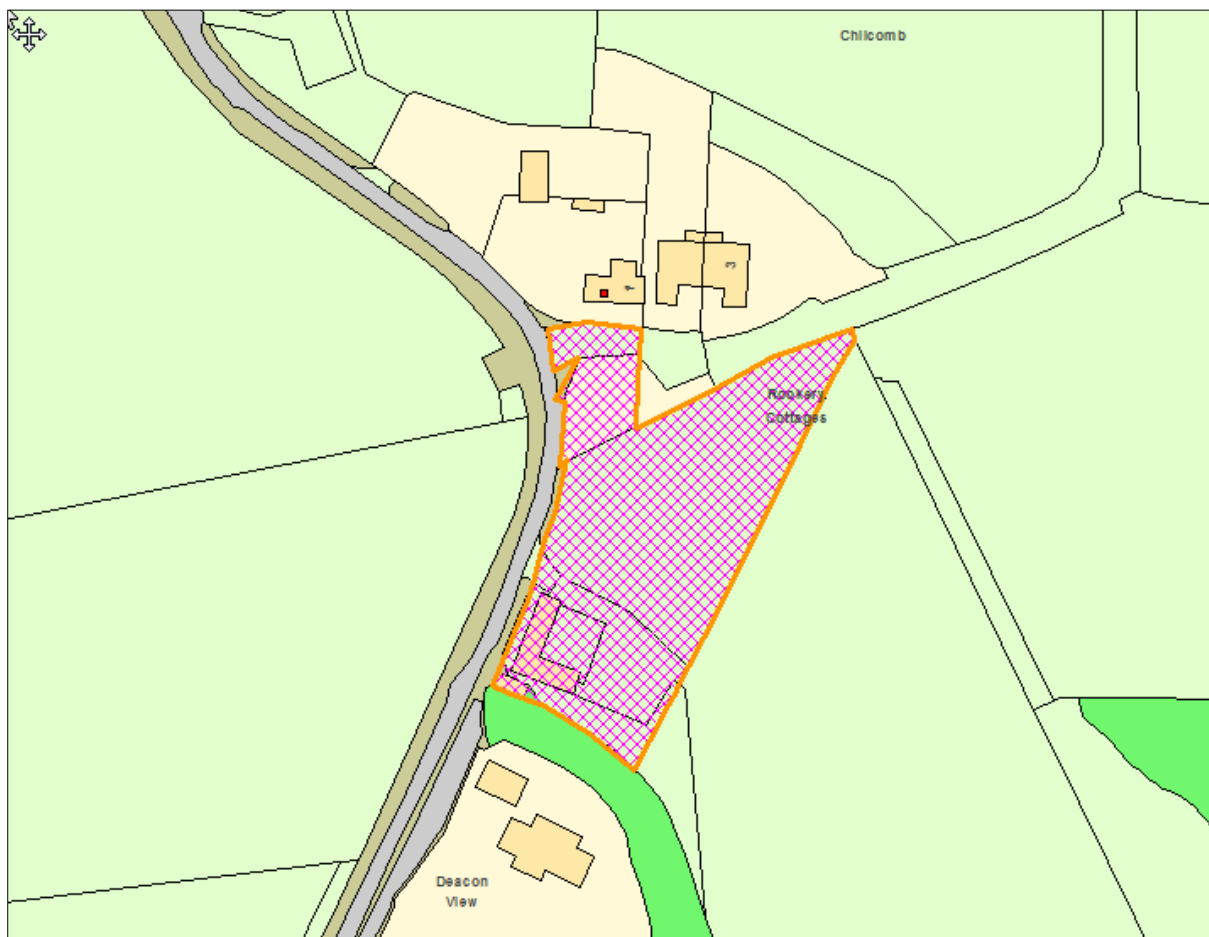
High Quality Places SPD

Compton and Shawford VDS

Winchester District Landscape Character Assessment

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Case No: SDNP/19/01840/FUL
Proposal Description: Erection of a new dwelling.
Address: Land adjacent to The Old School House
Church Lane
Chilcomb
Winchester
Hampshire
SO21 1HR
**Parish, or Ward if within
Winchester City:** Chilcomb
Applicants Name: Mr and Mrs D Mullins
Case Officer: Ms Charlotte Fleming
Date Valid: 15 April 2019
Recommendation: Application Refused



General Comments

This application is reported to the Planning Committee due to the number of representations received contrary to the Officer's recommendation.

1 Site Description

The land adjacent to the Old School House in Chilcomb is currently laid as grass, and has historically been called 'Valley Paddock' and used as a grazing field, with stables to the South. The development site is part of a large landownership by the Old School. The application site is located on the southern edge of the village of Chilcomb, which does not have a settlement boundary and is designated countryside, within the South Downs National Park.

The Old School House (formerly 1 Rookery Cottage) is a detached 2 storey dwelling, with painted render, decorative eaves and a tiled roof, the front door of which is on the southern elevation onto the public right of way (footpath 11) commonly known as Cowherds Lane. To the North of the application site, adjacent to the Old School House are 2 and 3 Rookery Cottages which are a pair of semi-detached two storey dwellings also fronting onto Footpath 11.

The application site is set to the east of Church Lane which is set off a dead end main road (Church Lane) that is linked to the A31. Immediately to the south of the site/included within the redline is an existing stable block, the dwelling Deacon View is south again, with Church Lane track ending just beyond at St Andrews Church. To the East and West of the site there are long views across grazing fields, downland and tree copses. The settlement of Chilcomb as a whole has a dispersed settlement pattern.

2 Proposal

Erection of a new dwelling.

3 Relevant Planning History

91/01317/OLD - Single storey rear extension, formation of pitched roof over kitchen to provide bathroom at first floor new porch
PERMIT 19th February 1991

00/01006/FUL - Two storey rear extension.
PERMIT 30th June 2000.

01/00387/FUL - Erection of stable block consisting of 3 no: stables, hay store, tack room and food store.
PERMIT 29th June 2001

01/00931/FUL - (AMENDED DESCRIPTION) Change of use from equestrian use to domestic curtilage, construction of new access, turning area and associated landscaping (PART RETROSPECTIVE).
PERMIT 3rd October 2001.

01/01683/FUL - Two bay barn for garaging and store.
PERMIT 2nd October 2001.

07/00271/FUL - Removal of condition no. 5 of planning permission W17003 (restriction of use of stables to occupier of 1 Rookery Cottages) to allow use disassociated with 1 Rookery Cottages.
PERMIT 24th April 2007.

SDNP/19/01616/HOUS - Erection of a single storey extension and insertion of 2 roof lights
APPROVED 29th May 2019.

4 Consultations

Parish Council Consultee

No comments received.

HCC - Rights of Way

Site Context:

The proposed new vehicle access from Church Lane via Chilcomb Footpath 11 to the North of the site which provides a link North-Eastwards to the South Downs Way Long Distance Route. Chilcomb Footpath 2 to the West runs North to South.

A copy of the Definitive Map of Rights of Way can be found at <https://www.hants.gov.uk/landplanningandenvironment/rightsofway/definitivemap>

Comment:

The proposals require the creation of a new vehicular access from Chilcomb Footpath 11 over which there are no recorded vehicular rights. It is an offence under the Road Traffic Act 1988 to drive or cycle over a public footpath without lawful authority. The applicant should therefore demonstrate to the satisfaction of South Downs National Park Planning Authority that they have this authority having been granted permission by the landowner and that this permission extends to the proposed new dwelling.

Should it be shown that lawful authority to drive over the public right of way does exist and the local planning authority decide to grant planning permission, we request that the following requirements are included:

- i. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.
- ii. Any damage caused to the surface of the public right of way by construction traffic will be required to be restored to the satisfaction of the Countryside Area Access Manager, to not less than its minimum width, on the completion of the build.
- iii. There must be no surface alterations to a public right of way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980. In relation to this application a highway agreement will be required.

iv. No builders or contractor's vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.

WCC - Winchester Highways

This application is for the erection of a single dwelling with the creation of a new access. The access is proposed from a private road that is not adopted highway. In addition, due to the scale of the development proposals, HCC's Highway Standing Advice should be referred to for this application. This can be viewed via the following link under the heading Consultation with the Highway Authority: <http://www3.hants.gov.uk/highways-development-planning.htm>.

WCC - Drainage Engineer

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk overlain by head deposits.

Foul drainage proposals are to use a package treatment plant. A drainage field of suitable size will also be required, the design should be informed by percolations testing.

Soakaways should be utilised for surface water drainage, infiltration tests are required. Hardstanding should be permeable where possible.

D040 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 development commences.

D040R Reason: To ensure satisfactory provision of foul and surface water drainage.

WCC - Landscape Open Spaces

We have reviewed the documents listed below and have the following comments:

- Landscape and Visual Impact Assessment: Baseline Assessment Checklist
- Design and Access Statement
- Proposed Site Plan: SDNP-WIN-AJW-322.06
- Proposed Block Plan: SDNP-WIN-AJW-322.02

We do not agree, as stated, that the site is within a continuously developed road frontage - the next dwelling is considerably further south and screened by trees, there is a stable block at the southern end of the site leaving a sizeable open gap before the next dwelling to the north. The proposal will mean the loss of an open gap and therefore does not fulfil the requirements of MTRA3.

SD4: Landscape Character

The Hampshire Landscape Character has assessed the area as East Winchester Open Downs with Landscape type of open arable. The site lies within open landscape which must wherever possible must be protected to conserve its distinctive character.

SD8: Dark Night Skies

Requirements of the SDNP Dark Skies policy must be demonstrated.

SD20: Walking, Cycling and Equestrian Routes

The proposal obscures some views from Chilcomb and will be visible both from footpath 11 and a short section of the South Downs Way. Footpath 11 passes in front of the access to the site which could cause a potential vehicle/pedestrian conflict.

In view of the policies highlighted above landscape are objecting to this proposal

WCC - Environmental Protection

Having examined the proposals in detail and I have no adverse comments to make concerning the application

5 Representations

27 letters regarding this application have been received.

12 letters are objecting to the proposal plus 1 from the Friends of the South Downs Society. Of the 12 letters objecting, 11 are from the Winchester District, and 1 with an unknown address. From the 11 letters of objections within the Winchester District, 8 of these are from the village of Chilcomb.

14 letters are supporting the proposal, of which are from 12 different addresses. From the 12 letters of support, 6 are outside the Winchester District, and 6 are within. From the 6 within the Winchester District 1 is from the village of Chilcomb.

I have summarised the comments, as follows:

Objections:

Landscape

- Proposed site is not continuous developed frontage
- Rookery Cottages front Cowherds Lane/bridleway, not Church Lane
- Blight iconic view in Chilcomb, from the church, through Valley Paddocks to the downland beyond.
- Damage setting and tranquillity of church and surrounding environment.
- Loss of immediate and distant landscape views across open fields.
- Inappropriate location
- Site is very different to 'precedence' site

Scale of development

- Too large in scale

- Eccentrically placed building
- Need for smaller affordable and social rented houses, not private large properties.
- Just want to build an expensive house

Policy

- No reference to Policy SD25 in application
- Chilcomb is not identified as a settlement under Policy SD25
- Policy SD25/SD26 indicate no need for windfall sites in Chilcomb
- Policy MTRA3 - no local need identified
- No essential need
- Not continuous road frontage
- No longer a principle to support continuous development
- Does not fit with the Parks principles of development

Traffic & Access

- Lane is not suitable for the additional traffic

Other

- Septic tank of Rookery Cottages sited within car park of proposed - no mitigation proposed.
- Need to create a Village Plan
- Would set a precedent

Support:

Landscape Impact

- Not disturb appearance of the village
- Unobtrusive in the local landscape
- Barely visible to any walkers on the South Downs Way
- Land wouldn't be used for much else
- Blend in with surroundings
- Not obstruct views of Chilcomb in any way
- Compliments local area not detract
- Wouldn't change character of the lane

Scale of development

- Sympathetic design that respects local surroundings
- Far less obstructive in design than other houses in the village
- Sensitive and considered application
- Set lower
- Low-lying, modern, and energy-efficient house that should be encouraged
- Would not encroach other properties or views
- Materials and systems sympathetic to the environment and the future

Other

- Minimal environmental effect
- Precedent has recently been set in the village
- Recent development of business park - forthcoming demand for houses
- Family have been a resident in village for over 20years - allows valued members of village to stay

- Family aging need more accessible abode than existing
- Building a property will free up another property to alleviate housing shortage.
- Additional dwelling may help case for broadband in village
- Restored their current house sympathetically

Friends of the South Downs Society:

Object to this application

- New dwelling on a greenfield site
- Site on Footpath no. 11 which is not a highway
- Unclear why land is being mown as a lawn and not still under agricultural use
- Avoid building new homes unless there is a specific need - none is mentioned
- Conflicts with policies MTRA3 and SD25
- No services in Chilcomb other than church and post-box
- Settlement has a dispersed pattern and infilling gaps interrupts the original character of the hamlet
- Scale of the house proposed does not meet affordable housing needed in countryside
- Increase in road traffic on bridleway footpath 11/Cowherds Lane would affect surface of track
- Dwelling would interrupt views to the south from footpath 11 and Church Lane across the paddock to the down lands beyond
- From the information submitted the proposed would not enhance and conserve the special qualities of the environment and landscape of the South Downs.

Agent response to comments:

A response to the representations has been received from the agent making the following points:

Principle of development

- Site sits "within a continuously developed line of built form" along Church Lane which starts at Chilcomb Manor, leading round to The Old School House and terminating at Deacon View.
- Policy wording of MTRA3 does not specify what type of 'built form' development in the 'developed' road frontage must consist of
- Properties either side of the site (The Old School House, the stable building and Deacon View) that are on the same frontage as the proposed dwelling which make it a 'continuously developed road frontage' as defined in the policy wording of MTRA3.
- Not setting a precedent as every proposal is decided upon its own merits

Landscape

- Distance between the proposed and the existing sits comfortably in the street scene and still afford views of the gap beyond as you travel along Church Lane.

- Not considered to have an adverse impact on the character of the village and introduces a building of interest into the street scene without harming the rural idyll
- Existing dwellings and buildings visible from the start of the footpath.
- Car drivers visiting the church already pass built form on Church Lane.

Policies

- Emerging Policies carry significant weight but not yet superseded Winchester Policies
- Policy SD26, 'windfall' sites is not conclusive; use of words such as "primarily" does not exclude development outside of settlement boundaries.
- Paragraph 79 of NPPF avoid isolated homes in countryside, yet does not define settlement

Design

- Layout and design have been carefully considered, taking into account the site constraints, the outlook of neighbouring properties and the rural character of the area.
- Incorporates characteristics of other properties in the locality
- Dwelling sits comfortably in the street scene.
- Access to the site is already used by the current owners and has not caused any conflict or hazard.
- The plot/dwelling size ratio would comply with the established pattern of development, to that of the neighbouring properties The Old School House, Deacon View and others in the locality.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the South Downs Local Plan 2014-2033 and any relevant minerals and waste plans.

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The

National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

Paragraph 2 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the South Downs National Park Local Plan - are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Development Management Policy SD21 - Public Realm, Highway Design and Public Art
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD25 - Development Strategy
- Development Management Policy SD50 - Sustainable Drainage Systems
- Development Management Policy SD51 - Renewable Energy

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 1
- General Policy 3
- Farming Policy 13
- General Policy 50

8 Planning Assessment

Principle of development

The National Planning Policy Framework paragraph 115 states that "Great weight should be given to conserving landscape and scenic beauty in National Parks... which have the highest status of protection in relation to landscape and scenic beauty."

The application site lies within the village of Chilcomb which does not have a settlement boundary. Historically it was one of the villages named in Winchester District Joint Core Strategy policy MTRA3, however since the submission of this application and it being heard at planning committee the South Downs Local Plan has been adopted and all former Winchester planning policies are now not applicable.

Policy SD25 sets out situations where development can be supported outside of settlement boundaries, such as to support the needs of agriculture and forestry; none apply to the proposal in Chilcomb. As such there is an in principle policy objection to the erection of a dwelling in this location, as the proposal does not accord with the development plan it would not, by definition, represent sustainable development.

The site lies within an open arable landscape which must wherever possible be protected to conserve its distinctive character. It is acknowledged that the site is not significantly isolated, and given the proximity to Chilcomb village it would potentially have reasonable access to the limited facilities and services within the settlement. The proposal could not though be justified as providing landscape enhancements Policy SD4, instead representing the further domestication of the site and surrounds with the plans indicating a substantial two-storey dwelling which would be highly visible from the surrounding area and the adjacent public footpaths.

The visibility of the new dwelling from the surrounding public realm and footpaths is therefore not conserving or enhancing the amenity value, tranquillity and views from non motorised travel routes of the Park (Policy SD20). The public rights of way officer also notes that the proposal requires the creation of a new vehicular access from Chilcomb Footpath 11 over which there are no recorded vehicular rights, it is an offence under the Road Traffic Act 1988 to drive or cycle over a public footpath without lawful authority.

Policy SD21 states that proposals should not interfere with the safety, function or character of the road, or have adverse environmental implications, and should meet highway authorities standards for adoption, the highways officer has confirmed that the access is proposed from a private road that is not adopted highway, however due to the scale of the development proposals, HCC's Highway Standing Advice applies.

Policy SD22 states that proposals that provide parking should be of a location, scale and design that reflects its context and comply with local parking guidance (Winchester City Council Supplementary Planning Document Residential Parking Standards, December 2009). Due to the space on the proposed property it is considered that the scheme complies with this policy.

Policy SD5 sets out that new development is acceptable provided that it is appropriate in scale and design and does not have an adverse impact on the character of the area or on surrounding uses and properties. Although it is proposed to use materials, design and plot size similar to other dwellings in the village, it is considered that the proposal does not meet the criteria of this policy as the proposed new dwelling is out of keeping with the existing character of the street scene and a new dwelling would have an adverse impact on the character of the area.

There are no apparent material policy considerations so specific to this site or application which would justify an approval of planning permission.

Design, scale and impact on the character of the area

The site is adjacent to a public right of way. The character of Church Lane is that of rural agricultural fields and hedgerows with occasional houses and stables set onto the road. The village has evolved over a long time and is generally clustered to the north of the site with the Saxon church to the south, buildings are not excessively crowded and the open spaces and general views of fields enhance the sense of openness.

The dwelling is set back and screened by vegetation from Church Lane, the referred to continuous 'frontage' of the property. To the north, the access into the property is off an un-adopted highway track and public right of way, there is a row of three small dwellings to the north of this track and none to the south adjacent to the site.

Given the location, design and scale proposed, the development is considered to result in a detrimental impact to the character of the area and street scene, and would conflict with the purposes of the South Downs National Park.

Impact on Neighbours

No comments have been received on the loss of neighbour's amenities. The proposal is set back from the neighbouring properties, and designed to not be overbearing. Whilst it may be considered that there is minimal impact on neighbouring privacy, on balance the degree is not so significant as to warrant a refusal nor is it a strong enough material consideration to justify the approval of the application.

Other matters

Notwithstanding the policy conflict set out above, there are no reasons why the development could not be designed to prevent significant harm to public rights of way, biodiversity and dark skies; in respect of eco-system services there would be considerable scope to address SDNP Policy SD2. These matters however do not outweigh or overcome the issues identified elsewhere in this report.

9 Conclusion

The proposal is not in accordance with the South Downs Local Plan and there are no overriding material considerations to otherwise indicate that permission should be granted. While it is considered that the development would not result in any significant harm to neighbouring amenity, this is neutral considerations which would not outweigh the identified conflict with the Development Plan. The proposal does not therefore accord with the two statutory purposes of the South Downs National Park to conserve or enhance the natural beauty, wildlife and cultural heritage and nor does it promote opportunities for enjoyment of the special qualities of the National Park by the public. It is therefore recommended that planning permission is refused.

10 Reason for Recommendation and Conditions

It is recommended that the application be Refused for the reasons set out below.

1. The proposed dwelling is located outside of any settlement boundary, would not be linked with an essential need or support the needs of agriculture or forestry, or ensure the sustainable development of rural areas. The proposal does not constitute an appropriate re-use of the site and, through the introduction of a residential use and associated domestic paraphernalia, would fail to conserve and enhance the special qualities of the National Park. There are no exceptional circumstances to justify a dwelling in this location. The proposal therefore represents an unacceptable form of development in the countryside, contrary to Policies SD4 and SD25 of the South Downs National Park Local Plan.

11. Crime and Disorder Implications

It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

Discussed policy compliance with the agent, however in this case the issues were unable to be resolved and the agent wished to proceed with the recommendation for refusal at planning committee.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans -	SITE LOCATION PLAN	SDNP-WIN-AJW-322.01 A	12.04.2019	Not Approved
Plans -	PROPOSED BLOCK PLAN	SDNP-WIN-AJW-322.02	12.04.2019	Not Approved
Plans -	PROPOSED PLANS	SDNP-WIN-AJW-322.03	12.04.2019	Not Approved
Plans -	PROPOSED NORTH & EAST ELEVATIONS	SDNP-WIN-AJW-322.04 A	12.04.2019	Not Approved
Plans -	PROPOSED SOUTH & WEST ELEVATIONS	SDNP-WIN-AJW-322.05 A	12.04.2019	Not Approved
Plans -	PROPOSED SITE PLAN	SDNP-WIN-AJW-322.06	12.04.2019	Not Approved
Reports	DESIGN, ACCESS & PLANNING STATEMENT		12.04.2019	Not Approved

Reasons: For the avoidance of doubt and in the interests of proper planning

Case No: SDNP/19/02218/FUL
Proposal Description: Alterations to existing agricultural access and reinstatement of an agricultural track
Address: Land Off Folly Hill Lane
 Itchen Stoke
 Alresford
 SO24 0QY
Parish, or Ward if within Winchester City: Itchen Stoke and Ovington
Applicants Name: Casdron Enterprises Ltd
Case Officer: Miss Charlotte Fleming
Date Valid: 09 May 2019
Recommendation: Application Approved



General Comments

This application is reported to the Planning Committee due to the number of representations received contrary to the Officer's recommendation.

1 Site Description

The application site is within a rural location in Itchen Stoke, which is outside of a designated settlement boundary, yet within the South Downs National Park.

The site is to the west of Folly Hill and is an existing agricultural field and track. The proposal seeks to provide an access to 'The Maples' which is currently accessed from Itchen View over a driveway not in their ownership. The application site already has an existing track and 5 bar-gated access.

The existing field boundaries comprise of post and wire fencing, field gates, wood panel fencing and hedgerow. To the south of the site are 8 properties that are set down slightly below the site and back onto the field, to the east of the site is a singular dwelling and rising to the north and west is agricultural fields.

2 Proposal

Alterations to existing agricultural access and reinstatement of an agricultural track.

3 Relevant Planning History

None

4 Consultations

WCC - Winchester Highways

The planning application proposal is to upgrade the existing field gate access onto Folly Hill to serve the adjoining agricultural land, and to construct an access track to provide a secondary access to the residential property known as The Maples (which is shown outside the application site red line boundary). Folly Hill is an unclassified road; the speed limit changes from 30mph to the national speed limit at a point adjacent to the access.

The modified access is acceptable in terms of geometry and visibility. Please can you advise the applicant that a Section 171 (Highways Act 1980) licence will need to be obtained from the Highway Authority to undertake work on the public highway. Details of how to obtain the licence can be viewed on the county council's website on this link:

<https://www.hants.gov.uk/transport/licencesandpermits/roadopening>

The Highway Authority recommends - No objection (no conditions)

WCC - Historic Environment Officer

The proposed development site is located directly outside the Itchen Stoke Conservation Area. The proposed access track will not have a significant

visual impact and will not affect views into or out of the Conservation Area. Consequently, there are no objections to the submitted proposals in Historic Environment policy terms and no special conditions are recommended.

WCC - Ecologist & Biodiversity Officer

Verbal consultation- no concerns, possible informative over nesting birds.

WCC - Landscape

Verbal consultation- no concerns.

Parish Council Consultee

SDNP/19/02218/FUL is a full planning application for "Alterations to an existing agricultural access and reinstatement of an agricultural track." The Application will be determined by WCC Planning Authority. The Case Officer is Charlotte Fleming.

The Parish Council have major concerns over the way this Application has been presented. These concerns are as follows:-

- o The Applicant's Planning Assessment seeks to major on the construction of a new engineered track/road to "facilitate the ongoing agricultural use of the surrounding farmland." The provision of an access to The Maples is made to appear secondary, almost as a by-product of the Application. Paragraph 4 of the Planning Assessment states "The new farm track will also provide access to The Maples, a detached dwelling off Itchen View."
- o There are several near identical arable fields accessed off Folly Hill Lane, owned by the same owner as the Application site, none of which have engineered tracks/roads to "facilitate the ongoing agricultural use of the surrounding farmland."
- o The Parish Council have spoken to local residents who have lived in Itchen Stoke since before The Maples existed and who have no recollection of there ever being a formal, existing agricultural track in the area of the Application site. Additionally, the Council's research has discovered aerial photographs which pre date the building of The Maples and numbers 3 and 4, Longcrate Cottages. There is categorically no evidence of a formal existing agricultural track in the area of the Application site.
- o Earlier in the year, in response to residents who were concerned to see Surveyors active around the Application site, the Parish Council Chairman met with the Landowner to seek clarification. The Landowner advised that he had been approached by Mr Peter Waldron, (CEO of Casdron Enterprises Ltd, the Applicant), who wished to provide a private access to his property, The Maples. It is not unreasonable to assume the motive of the Applicant is to increase the desirability and value of The Maples in anticipation of a future sale.
- o Ultimately and conclusively, if the real purpose of this Application was to invest in an engineered track/road to "facilitate the ongoing agricultural use of the surrounding farmland" the Applicant would be the Landowner, not Mr Waldron's company, Casdron Enterprises Ltd.

Parish Councillors are clear that this Application is deliberately disingenuous. This lack of candour is even visible in the treatment of the site plan which to a

reader not familiar with the location, seems to indicate The Maples is "land locked" by Longcrate Cottages and Longcrate Bungalows and might not have vehicular access at all.

The Parish Council therefore conclude that the real purpose of this Application is to provide The Maples with a discrete, private access and should be determined by the Case Officer accordingly.

Decision

Against this background the Parish Council strongly object to Planning Application SDNP/19/02218/FUL and urge Winchester City Council's Planning Department to refuse it without condition.

The reasons, in addition to aforementioned background, are as follows:-
The Maples is served by an existing access through Itchen View which has proved perfectly adequate to several tenants who have been part of the community over many years. Removal lorries, delivery vehicles and private cars illustrate the normality and ease of access to The Maples.

At the time of writing, there are 9 letters of objection and none of support. Of the 9 objectors, 7 are residents of Itchen Stoke who live close to the Application site and 5 of those would be immediately and adversely affected by the proposed development.

The residents and other objectors have presented a cogent and compelling case against the proposal which the Parish Council fully endorses.

The building of a wholly unnecessary, engineered track/road would cause harm to local residents and particularly those living on the north side of Itchen View.

The only beneficiary would be the owner of The Maples who does not live at the property and, indeed, does not live in Itchen Stoke. The benefit therefore is one of financial advantage and nothing to do with day to day living.

5 Representations

10 letters of objection have been received, of which 8 are from within Itchen Stoke. I have summarised the comments as follows:

Objections:

Traffic & Access

- Increased traffic
- Danger to walkers as extra traffic and already no pavements
- Adequate access to The Maples already exists - additional entrance unnecessary
- Never been an issue with vehicles, even large removal lorries, on existing
- Reinstatement of existing agricultural track is a misleading, sole purpose is access road to 'The Maples'.

- There are better potential locations for a new access
- Children and animals could walk onto the track

Amenity, Noise & Disturbance

- Additional lights to the rear of properties
- Noise from driving over gravel
- Engines left running whilst unlocking gate
- Loss of privacy in short and long term
- Increase noise and light pollution
- Strangers will be able to see into gardens and reduce privacy
- Flying gravel and dust

Ecology

- Loss of habitat biodiversity/field margin

-

Landscape

- A track damages the outlook and views from property
- No existing mud problem from fields
- A wire fence and gravel track is a significantly different view for residents

Other

- Application has no merits
- 8 households will be affected by the proposed - 25% are rented from the applicant
- Future use of house/track may increase trips
- Traffic movements onto fields leads to and increase in crime and fly tipping
- Security risk to other properties as can access undetected
- Set a precedent for more development in the area - road is over-engineered
- Attempt to enhance value to 'The Maples'
- Additional gravel track compared to existing hard surface may make property less attractive
- Potential for future signage of the property
- Agent is the husband to a Principle Planning Officer in WCC - possible conflict of interest

Agent response:

A response to the representations has been received from the agent making the following points:

- The proposed track will be used by agricultural vehicles and a small number of domestic vehicles
- Agricultural vehicles can already use the field margins in close proximity to private gardens
- The existing access to The Maples is narrow and is not controlled by the owner, so making improvements is limited
- Perceived 'loss of value' to neighbours or 'adding value' to The Maples does not represent reasonable grounds on which to object to a planning application.
- Landowners are entitled to create a track (or similar) under Permitted Development, only come about because track wishes to be used by property owner as well.
- The Maples is not being sold and will remain primarily agricultural use.

- Comments over professional integrity and conflict of interest are shocking and disappointing - and deliberately inflammatory.

6 **Planning Policy Context**

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans.

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 **Planning Policy**

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF12 - Achieving well-designed places
- NPPF 15 - Conserving and enhancing the natural environment

Paragraph 2 states that planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **South Downs Local Plan** are relevant to this application:

- Strategic Policy SD10 - International Sites
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD19 - Transport and Accessibility
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Development Management Policy SD21 - Public Realm, Highway Design and Public Art
- Strategic Policy SD34 - Sustaining the Local Economy
- Development Management Policy SD39 - Agriculture and Forestry
- Strategic Policy SD42 - Infrastructure

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 1
- General Policy 3
- Farming Policy 13

8 Planning Assessment

Principle of development

Access tracks for agricultural uses are permitted under Part 6 of the Schedule of the Town and Country Planning (General Permitted Development) (England) Order 2015, subject to a prior notification being issued to the Council and the Park being happy with the siting and design of the proposal. Fences and gates are allowed (for residential and agricultural purposes) without requiring planning permission, as set out in Class A of Part 2 of the Schedule of the Town and Country Planning (General Permitted Development) (England) Order 2015. This application is only seeking the erection of a fence and formalisation of the track to become both a residential access for The Maples and agricultural access, so they can manage the

access to their property. The use of the land where the fences are proposed remains agricultural.

The site lies in the countryside where Policy SD25 allows development which has an operational need for such a location such as agriculture, as long as the development does not cause harm to the character and landscape of the area or neighbouring uses or create inappropriate noise/light and traffic generation. It is considered that the proposal complies with this policy.

Policy SD39 Agriculture and Forestry states that development for agricultural buildings or structures will be permitted where there is an agricultural need, the proposal reflects the local character, and the proposal is designed to minimise the impact on the special qualities of the Park, it is considered that the proposal complies with this policy.

Policy SD4 sets out that new development is acceptable provided that it is appropriate in scale and design and does not have an adverse impact on the character of the area or on surrounding uses. It is considered that the proposed track and fence meet the criteria of this policy as the fence is in keeping with the existing agricultural character of the land use, and no concerns have been raised by the landscape officer about impact on the character of the area.

Policy SD5 sets out that new development is acceptable provided that it is appropriate in scale and design and does not have an adverse impact on the character of the area or on surrounding uses and properties. It is considered that the proposal meets the criteria of this policy as the access track is in keeping with the existing rural character of the site and property and has no adverse impact on the character of the area.

Policy SD21 states that proposals that improve access should not interfere with the safety, function or character of the road, or have adverse environmental implications, and should meet highway authorities' standards for adoption. The highways officer is happy with the proposal and it is considered that the scheme complies with this policy.

Design, scale and impact on the character of the area

The proposed addition of post and rail fencing (1.2m high), the formalisation of the track by additional gravel and compacted chalk, and creating a gate to the existing agricultural field, plus additional mitigation planting are considered modest in scale and will be completed in materials suitable for the agricultural setting. The proposed alterations are considered to be acceptable for the character of the site.

The 1.2m high fence (approximately 195m long) is set back from the road behind residential properties and on the edge of a large field. Given the design, scale and materials proposed, the development is not considered to result in a detrimental impact to the character of the area and would not conflict with the purposes of the South Downs National Park.

The removal of less than approximately 3m of hedgerow to allow the new access into The Maples is not considered to be significant, particularly in light of additional landscape and tree buffers being proposed, and ecology have raised no concerns.

Impact on Neighbours

The fence and updated access does not cause any overbearing or overshadowing impacts to the neighbouring properties, so not thought to have any detrimental impact on their amenities.

Concerns have been raised over headlights at night, however these will be occasional, not directly into the properties and even less frequent than vehicles to the front of the properties.

Whilst there is a minor impact on neighbouring privacy, on balance the degree is not considered so significant to warrant refusal of the application.

Other matters

The potential future business speculations on the (wider) site, is not a material planning consideration.

9 Conclusion

The application is therefore considered to be acceptable and is recommended for approval.

10 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

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)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those listed in the submitted covering letter & 50401/P1-02 Block Plan.

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

11. Crime and Disorder Implications

It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

The application was acceptable as submitted so no further assistance was required.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans -	LOCATION PLAN	50401/P1-01	08.05.2019	Approved
Plans -	BLOCK PLAN	50401/P1-02	08.05.2019	Approved
Plans -	TOPOGRAPHICAL SURVEY		08.05.2019	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/01050/TPC
Proposal Description: T1 - Golden Leynaldii - Remove at ground level
Address: Meadow Bank Woodman Lane Sparsholt SO21 2NR
Parish, or Ward if within Winchester City: Sparsholt

General Comments

Councillor Caroline Horrill has registered an interest in the property the subject of this application relating to works to remove to ground level a Golden Leynaldii tree. The applicant applied to carry out the works as the location is in a conservation area and that was granted consent under delegated authority.

It is stated in the application form that the applicant is related to a Member as the father in law to the Councillor. The works have not been carried out to date and the applicant awaited further advice from the local planning authority before so doing.

In the interests of transparency, this item is brought to the attention of the Committee and therefore is in the public domain as well. Consent to carry out works was granted under delegated powers and the Committee is asked to note that decision made.

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