



Meeting	Planning Committee
Date and Time	Wednesday, 18th March, 2020 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 - 14)

Minutes of the previous meeting held on 18 February 2020



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 Monday 16 March 2020**, 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 - 10) and (PDC1158 and Update Sheet refers)	
7.	Land To The North Of Forum Buildings, Solent Business Park, Parkway, Whiteley (Pages 15 - 54)	Whiteley & Shedfield
8.	Land Rear Of Chairmakers Arms, Hipley Road, Hambledon (Pages 55 - 66)	Denmead
9.	Bittles Farm, Fareham Road, Hambledon PO7 4QW (Pages 67 - 76)	Denmead
10.	2 Lynford Way (Merrymead), Winchester, SO22 6BW (Pages 77 - 86)	St Barnabas
11.	Planning Applications (WCC Items 12- 14) (PDC1158 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 <u>before</u> 2.00pm).	
12.	49 Stoney Lane, Winchester SO22 6DP (Pages 87 - 100)	St Barnabas
13.	55 Milland Road, Winchester, SO23 0QA (Pages 101 - 106)	St Michael

- | | | |
|-----|---|-----------|
| 14. | Abbotswood, Sleepers Hill, Winchester
SO22 4NA (Pages 107 - 112) | St Paul |
| 15. | Planning Appeals (PDC1159) (Pages 113 -
122) | All Wards |

Lisa Kirkman
Strategic Director: Resources and Monitoring Officer

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10 March 2020

Agenda Contact: Dave Shaw, Senior Democratic Services Officer
Tel: 01962 848 221 Email: dshaw@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
Ruffell

Liberal Democrats
Bronk
Clear
Laming

Deputy Members

Brook, Pearson and Scott

Bentote and Gottlieb

Quorum = 3 members

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 then a period of public participation, as follows:

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

Please keep to the time allocated.

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 and clarification, if necessary, of public speakers.

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.

FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#).

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

18 February 2020

Attendance:

Councillors:

Evans (Chair)

Bronk
Cunningham
Laming

McLean
Read
Ruffell
Rutter

Others in attendance who did not address the meeting:

Councillor Bell

Others in attendance who addressed the meeting:

Councillors: Achwal, Gordon-Smith, Miller and Porter (Cabinet Member for Built Environment and Wellbeing)

Audio recording of the meeting

A full audio recording of this meeting is available via this link:

[Audio recording](#)

1. **APOLOGIES AND DEPUTY MEMBERS**

Apologies were received from Councillor Clear and Councillor Bentote was in attendance as Deputy Member for Councillor Clear (except for items 10, 11 and 12).

2. **DISCLOSURE OF INTERESTS**

Councillor Bentote declared that in respect of item 7 (Whiteley Town Centre) he was a ward councillor and had been contacted by objectors and had attended a meeting with the developer, officers and Councillor Weir (Cabinet Member for Local Economy) but he had not expressed any view on the application and having an open mind he stayed and voted on this item.

Councillor Bentote also declared that in respect of item 10 (Land to Rear of 5 Hillside, Kitnocks Hill, Curdridge) he had submitted objections to the application and had predetermined the application and stepped down from the committee for this item and spoke as a Ward Member and he took no part in the discussion or vote thereon.

Councillor Evans declared a personal (but not prejudicial) interest in respect of Item 12 (Land To The East Of Sun Lane, Alresford) as she was the Council's appointed representative on the South Downs National Park Authority and she spoke and voted on this item as she had not had any involvement in the Park's Authority's planning comments.

Councillor McLean declared a personal (but not prejudicial) interest in respect of Item 8 (Shady Oaks Farm, Durley Brook Road) as he was a Ward Councillor but he had not participated in any prior discussion about the application itself and he took part in the discussion and voted thereon.

Councillor Laming declared a personal (but not prejudicial) interest in respect of Item 14 (Silkstede Priors, Shepherds Lane, Compton) as he was a Ward Councillor but he had not participated in any prior discussion about the application itself and he took part in the discussion and voted thereon.

3. **MEMBERSHIP OF SUB-COMMITTEES etc**

There was no action to report under this item.

4. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held on 14 November 2019 be approved and adopted.

5. **PLANNING APPLICATIONS SCHEDULE**
(Report PDC1157 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 PDC1157.

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

6. **PLANNING APPLICATIONS 7 – 10 AND UPDATE SHEET**

The Committee considered the following items.

Item 7: Proposed new multi-storey car park over 4 floors, a new 2 storey retail block (Use Classes A1; A2; A3; A4; A5 & D2) with space for provision of a mezzanine floor, external works with changes to existing surface car parking and landscaping (revised detail).

Whiteley Town Centre, Whiteley Way, Whiteley
Case number: 19/01194/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out details of additional consultation responses, changes to conditions 2, 6, 7, 9 and 15 and additional submissions.

During public participation, Phil Robertson and Wendy Blackwell and also Councillor Mike Evans (Whiteley Town Council) spoke in objection to the application and Adrian Barker (agent) spoke in support of the application and answered Members' questions thereon.

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

In summary, Councillor Achwal highlighted the local objections; the closed travel plan; there was no need for additional retail units; it was incorrectly located and would be overbearing; traffic congestion and health issues; that finance should be provided towards a Park and Ride Scheme and that there had been no impact assessment for the scheme.

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 and subject to the inclusion of an additional condition on the inclusion of a Development Phasing Plan.

Item 8: Resubmission application for revised storage area. Use of land for storage of caravans/campervans in addition to the agricultural use which would be retained.

Shady Oaks Farm, Durley Brook Road, Durley

Case number: 19/02419/FUL

During public participation, Anne Collins - on behalf of Cllr Steve Delmege representing Durley Parish Council and Kim Blunt (Agent) and Mrs Reeves (Applicant) spoke in support of the application and answered Members' questions thereon.

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

In summary, Councillor Miller highlighted the local support for the application; the need for farm diversification and caravan/campervan storage and the screening of the application site from the public right of way.

At the conclusion of debate, the committee agreed to grant permission for the reasons set out in the resolution below at the conclusion of the application items.

Item 9: (Amended) Construction of rear single storey extension, removal of front bay windows to existing bungalow.

Sunpatch, Chapel Road, Swanmore

Case number: 19/02288/HOU

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 10: Use of land as residential garden.

Land To Rear Of 5 Hillside Kitnocks Hill Curdridge

Case number: 19/02468/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out additional comments from the agent acting for the neighbour requesting further clarification and further conditions.

During public participation, Neil March (on behalf of Mr and Mrs Wallin - Neighbours) spoke in objection to the application and Bob Tutton (agent) spoke in support of the application and answered Members' questions thereon.

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

In summary, Councillor Bentote highlighted that the application site sloped upwards and was very visible; the parish council were keen to preserve it as countryside and not to be part of a garden and that the access track could be opened up in the future making the application site potentially developable.

At the conclusion of debate, the committee agreed to refuse permission for the reasons set out in the resolution below at the conclusion of the application items.

11. **PLANNING APPLICATIONS 12 – 15 AND UPDATE SHEET**

The committee considered the following items.

Item 12: AMENDED PLANS 22.02.2018 The erection of up to 320 dwellings (including 40% affordable homes); the provision of 3.4 hectares of employment land for use within Use Classes B1, B2 and B8; the provision of Public Open Space and associated infrastructure including an 'all-moves' roundabout from the A31; the realignment of Sun Lane and provision of additional school facilities including a 'Park and Stride'. EIA development.

Land To The East Of Sun Lane, Alresford

Case number: 17/01528/OUT

The Service Lead Built Environment referred Members to the Update Sheet which set out details of additional representations, consultations and comments and appropriate assessment, and consultations from Southern Water and Hampshire County Council Flood Water Management Team, Highways and an extract from the minutes of the Planning Committee held on 21 June 2018. The Officer confirmed the additional representations received did not alter the recommendation to committee. The revised report included updates relating to the nitrates issues, changes to habitat regulation

legislation and revised national policy framework and also changes to conditions to make them more precise.

During public participation, Paul Dix and Peter Clarke and New Alresford Town Councillor Russell Gordon-Smith spoke in objection to the application and Dave Jobbins (Agent) spoke in support of the application and answered Members' questions thereon.

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

In summary, Councillor Porter highlighted that conditions under the Section 106 Agreement now had adequate detail to give assurance, although the application was still outline and detail of reserved matters was required. The public open space would be a valuable asset and the mitigation of flooding would also be beneficial.

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 amendments set out in the resolution below at the conclusion of the application items.

Item 13: Erection of patio/barbecue area, raised planters, pergola to the rear of the building and fence to bin/log store in accordance with the amended plans received 3rd December 2019
Bramble Cottage, 41 Stratton Lane, East Stratton
Case number: 19/01772/FUL
(Audio recording)

This application was withdrawn.

Item 14: 1. Remove 17 No. selected trees (Cypress, Yew, Holly, Sycamore, Oak) marked with 'X' located in the area south side of the driveway.
2. Linear group of 12 No. trees (Cypress and Holly) located adjacent to the northern boundary with 'The French House'.
3. Evergreen Oak - Overall crown reduction by 2m.
Silkstede Priors, Shepherds Lane, Compton
Case number: 19/02175/TPO

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.

RESOLVED:

That the decisions taken on the Planning Applications in relation to those applications 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 7 (Whiteley Town Centre, Whiteley Way, Whiteley - Case number: 19/01194/FUL) permission be granted for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet and subject to the inclusion of an additional condition on the inclusion of a Development Phasing Plan.

(ii) That in respect of item 8 (Shady Oaks Farm, Durley Brook Road, Durley - Case number: 19/02419/FUL) that permission be granted for the storage only of up to a maximum of 40 caravans/campervans and for no other purpose as an exception to policy MTRA4. There was an operational need for such storage in the countryside as there were no alternative sites in the vicinity and the application demonstrated unique circumstances as this was a low key storage facility with no loss of agricultural land. Its position would not be intrusive as the visual harm could be mitigated with conditions relating to a lighting plan and a robust landscape scheme with long term management.

(iii) That in respect of item 11 (Land To Rear Of 5 Hillside Kitnocks Hill Curdridge - Case number: 19/02468/FUL) permission be refused as the application site was in the countryside and to urbanise it as a garden would be to the detriment of the landscape character and appearance of the area.

(iv) That in respect of item 12 (Land To The East Of Sun Lane, Alresford - Case number: 17/01528/OUT) 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 Service Lead - Legal being given delegated authority to update or amend the Heads of Terms of the Section 106 Agreement including Clause 9 relating to the Service Delivery Management Plan to be amended to change the word "should" to "must" or wording of similar effect.

4. **PLANNING APPEALS**
(Report PDC1156 refers)

RESOLVED:

That the summary of appeal decisions received during July – September 2019 be noted.

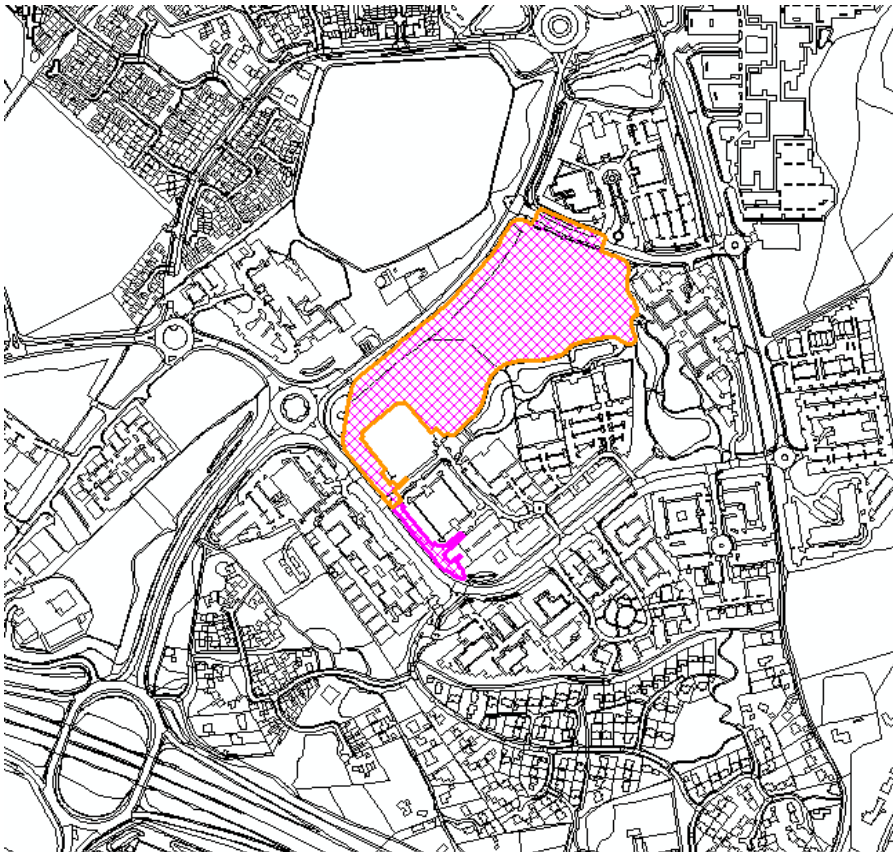
The meeting commenced at 9.30am, adjourned between 13.15pm and 2.00pm and concluded at 3.15pm.

Chair

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/00852/OUT
Proposal Description: Hybrid planning application with part submitted in outline and part in detail for a mixed-use development. The outline component is for a maximum of 8,946 sqm (GEA) floorspace comprising light industrial (B1c), a day nursery (D1) a gym (D2) and associated parking and landscaping. The detailed component comprises a hotel (C1), a flexible restaurant/bar (A3/A4), a multi storey car park (sui generis), new access routes and junction works, new servicing routes, associated parking, landscaping and associated development.
Address: Land To The North Of Forum Buildings Solent Business Park Parkway Whiteley Hampshire
Parish, or Ward if within Winchester City: Whiteley
Applicants Name: CCP IV Solent Sarl
Case Officer: Mr Simon Avery
Date Valid: 8 April 2019
Recommendation: Application permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PQ06PBBP0XU00>



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Case No: 19/00852/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

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

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

- Amended plans have been submitted changing the design of the proposed hotel and restaurant.
- Additional documents and plans have been submitted provided further information about drainage, ecology, highways and sustainability.
- A strategy to achieve nitrate neutrality has been submitted.

Site Description

The site is within Solent Business Park which is located on the eastern edge of the settlement of Whiteley. It is part of the Forum site and consists of 5.51 hectares of land to the south east of Whiteley Way between the Parkway South Roundabout (known as R1) and the Parkway North Junction (R1a).

Five office buildings have been developed on the Forum. The application site is separated from these buildings by a landscaped lake and a pedestrian footpath which run through the centre of the Forum land. At the south western end of the lake is the Deli café, a single storey building. To the south and east of the Forum are various other office and commercial buildings. Adjacent to the site to the south is a large surface car park which serves the Forum 1 building occupied by HSBC and provides approximately 300 parking spaces. Just outside of the western corner of the site adjacent to R1 is a formal water feature with a series of water fountains.

The north west boundary of the application site with Whiteley Way, the northern boundary with Parkway and the western corner by the fountains are screened by mature trees, a number of which are outside of the site. On the other side of Whiteley Way is an area of ancient woodland called Round Coppice. The Solent Hotel, Spa and Gym is also located across Whiteley Way to the west of the site near R1 and the Parson's Collar pub is located just to the north west of the hotel.

The application site itself is relatively flat and mostly undeveloped, apart from an area of 0.82 hectares laid out in the south east as a car park to provide an additional 198 parking spaces for the other existing Forum Offices. The remainder of the site contains trees and scrubland with most of the trees located in the northern half. A lot of these are Ash trees but there is a significant line of Oak trees in the site along the northern boundary with Parkway and two more important Oaks within the site to the south of this. The land slopes gently towards the north western corner of the site.

There are currently three vehicular accesses from Parkway into the main Forum site, one on the south west perimeter and two on the south east perimeter.

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Proposal

The proposal is a hybrid application for a mixed use development with part submitted in outline and part in detail.

The detailed component of the application seeks consent for:

- A 97 bed hotel (Class C1) with a gross external floor area of 3,024sqm and 69 parking spaces.
- A flexible restaurant/bar (Class A3/A4) with a gross external floor area of 856sqm and 61 parking spaces.
- A multi-storey car park with a gross external floor area of 7,916sqm providing 303 parking spaces (15 of which will be equipped as electric car charging points) over 4 levels.
- A new access spine road with a new junction onto Parkway North, approximately 80m east of Junction R1.
- Associated parking and landscaping.

The description of the outline development is as follows:

- Light industrial buildings (Class B1c) with a maximum gross external floor area of 6,796sqm and 145 parking spaces.
- A day nursery (Class D1) with a maximum gross external floor area of 545sqm and 15 parking spaces.
- A gym (Class D2) with a maximum gross external floor area of 1,605sqm and 93 parking spaces.
Associated parking and landscaping.

The level of information in respect of the outline components covers the following areas:

- *Use* – the uses proposed for the development;
- *Amount* – the maximum amount of development proposed for each element of the development;
- *Scale* – the upper limits for height, width, and length of each development plot within the site boundary;
- *Access* – areas in which the access points to the site will be situated, as well as the new estate road, which is the primary access route.

Matters relating to these proposals which are reserved for future consideration, and thus do not form part of the outline Component are:

- *Layout*
- *Appearance*
- *Landscaping* (excluding the detailed estate landscaping)
- *Access* – secondary access route only

Relevant Planning History

94/01173/OLD - 12 Two and three storey buildings with associated car parking, landscaping and construction of new access. **PER 16th August 1994.**

99/00231/FUL - 12 No two and three storey buildings with associated car parking,
Case No: 19/00852/OUT

WINCHESTER CITY COUNCIL
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landscaping and construction of new access (Renewal of Planning Permission W11755).
PER 1st July 1999.

01/01404/FUL - 10 no: three-storey office buildings (class B1 use) with associated car parking, landscaping and construction of new accesses. **PER 22nd January 2002.**

03/02288/FUL - Erection of 3 No. three storey buildings and associated car parking, landscaping and circulation roads (revision to planning permission W11755/02). **PER 2nd December 2003.**

17/02026/FUL - Temporary planning permission for a period five years for the provision of 197 additional car parking spaces associated with the existing Forum Office buildings together with associated works, including new site access and lighting. **PER 12th October 2017.**

18/00525/NMA - Non Material Amendment to 17/02026/FUL - introduction of barrier controls on entry and exit, addition and alteration of parking spaces, minor alteration to proposed lighting, addition of two sets of steps to allow pedestrian access to carpark and addition of gravel soakaway trench to north west boundary covered with topsoil. **ACCEPT 5th June 2018.**

19/02625/FUL - Application to make permanent the existing car park comprising 198 car parking spaces and associated works granted temporary planning permission associated with the existing Forum office buildings. **PER 16th January 2020.**

Consultations

WCC Service Lead for Built Environment - Strategic Policy

- This site is allocated under Policy SHUA 2 for a range of high technology and business uses, to support economic growth and diversity within the Winchester district.
- The applicant has undertaken research which suggests the current B1 market is limited, but it would be beneficial for this data to be refreshed and views of the WCC economic development team sought as to the potential interest in the site for its intended B1 uses.
- The detailed element of the application is for predominantly town centre uses, the sequential test submitted indicates a lack of other appropriate sites.
- These uses do however provide an element of employment provision although not the targeted B1 market, as required by Policy SHUA2.
- The biggest element of the proposal is provision of a multi storey car park, in principle this is supported as this will contribute to alleviating the shortage of parking provision in the locality.
- The proposed alternative employment generating uses may be considered appropriate as a last resort in this case, subject to clarification that there is a lack of demand for B1 floorspace in the locality.
- It is however, essential to secure the remainder of the site to be delivered for B1 uses and for the outline part of the application to be expressed to this extent.

WINCHESTER CITY COUNCIL
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WCC Service Lead for Estates

- The chances of finding significant office occupiers for the location in future are limited. Solent Business Park did very badly in the last recession and has only slowly started to fill up in the last couple of years with the Forum buildings being as well occupied now as they ever have been since they were built back in the mid 1990's.
- The submitted market reports (by Vail Williams and CBRE) are a true reflection of the market.
- Since these reports were submitted the market has seen limited take-up at SBP.
- There is no need for an updated report, as it will not say anything significantly different.

WCC Economic Development and Tourism

- The economy and tourism service support this application in principle as it's in line with the council's economic strategy's vision to maintain employment land for the purpose of providing space for business and other employers.
- There is unfulfilled demand for budget accommodation in the Winchester district. Based on performance of hotels in the Fareham and Whiteley area there is a strong opportunity for a budget hotel to be located on this site. In addition the Travelodge brand is likely to drive new business into the Winchester area and the destination.
- This expanding customer base will in turn benefit shops, restaurants and leisure facilities – particularly at nearby Whiteley Shopping Village as well as attractions, retail and eateries located in the Winchester district including the market towns of Wickham and Bishop's Waltham both under 10 miles from the proposed development site.
- The close proximity of the North Whiteley residential development will provide a local work force and it is important that this potential is maximised creating employment opportunities close to where people live.
- There are some concerns regarding the reduction of industrial floor space provided.
- The additional 300 car parking spaces provided will be welcomed by local businesses. It is suggested that these should include the provision of electric charging for vehicles.

WCC Service Lead for Built Environment - Urban Design

- There is a need to focus on a more cohesive strategy for the public realm, by improving the space between buildings and by reducing the effect of the large areas of car parking through appropriate use of the landscape and exploring opportunities to relocate parking spaces.
- The public realm has an important role to help integrate the new buildings with the existing ones on a more balanced approach.
- More consideration should be given to the appearance of the buildings, in particular, to the hotel and the pub in order to achieve an overall design strategy with a simplified palette of materials.

Design Review Panel

- The proposed masterplan layout appears to lack a cohesive strategy linking land use, public realm and movement routes. The proposed buildings appear rather disconnected from each other which contrasts with the original business park to

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the south east.

- The public realm could be rationalised and the setting of how you experience the buildings greatly improved. It is currently not a legible environment for pedestrians and greatly dominated by car parking.
- The buildings would provide a stronger overall development if they read together in both style and materials.
- The proposed multi-storey car park works well and was most successful due to its simplicity, honesty, rational form and limited materials.
- There is scope to improve the appearance of the hotel and it could have more articulation, and could be simplified to help produce a more elegant building with one main material.
- The proposed rural/village style pub / restaurant appears to be at odds with the established suburban business park setting and this is the poorest element of the scheme.

WCC Service Lead for Environmental Services - Landscape

- The site has low landscape sensitivity and that the proposals would not result in adverse impacts on either landscape character or visual amenity.
- The illustrative Masterplan proposes to retain most of the very important boundary trees which wrap around the site on its boundary with Whiteley Way and Parkway, save for some removals to permit a new vehicular access on the north east boundary. The trees proposed for removal within the site are mainly C category groups so their loss is not significant in landscape terms.
- The proposed hard and soft Landscape Plans are satisfactory and will result in an enhancement of the development.

WCC Service Lead for Environmental Services - Ecology

- An acceptable design and methodology have been agreed to minimise impact on ecological features.

WCC Service Lead for Environmental Services - Drainage Engineer

- No objections.

WCC Service Lead for Public Protection - Environment Protection

- There are no residential dwellings included with the application, nor are there any residential dwellings likely to be directly affected by the proposals.
- The proposed B1 uses and the outside area of the proposed nursery have the potential to create a noise disturbance to their surrounding occupants, but as these are commercial uses, rather than residential, there will not be any unacceptable impact.
- The measures proposed in the submitted acoustic report should be implemented to ensure bedrooms in the proposed hotel and the proposed children's nursery are provided with additional attenuation measures to ensure that there are no adverse noise impacts.

WCC Service Lead for Community- Sustainable Development

- The Pub and Restaurant are unable to achieve BREEAM 'excellent' overall but can achieve BREEAM 'excellent' for the energy standard.

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WCC Service Lead for Community - Sports and Physical Activity

- The Sport and Physical Activity Service object to the gym aspect of this proposal as it will have a negative economic impact on Meadowside Leisure Centre and will compete with an already saturated gym market in this geographical area.

HCC Highway Engineers

- Subject to agreement of a suitable transport contribution and agreed travel plan and bond secured by a S106 agreement, and some suggested conditions, the highway authority raise no objection to this application.
- The application is for a mix of use classes, which the applicant states will generate significantly less traffic than the existing permission for unbuilt offices.
- The existing three accesses from Parkway into the Forum site will remain and can provide access to the site. The application also includes a new access spine road with a new junction onto Parkway North, approximately 80m east of Junction R1a. The applicant has provided modelling information and the results demonstrate that the access will operate with no discernible delay or queuing.
- The site will be accessed by both the proposed new access off Parkway North and by the existing Forum Site access off Parkway South. This arrangement will reduce the impact on Parkway North/South and is acceptable to the highway authority.
- The only junction on Parkway North/South affected by the proposal is the roundabout junction east of the new site access, as this will accommodate u-turning traffic. However, this will be a small proportional increase of around 25-27 vehicles during the peak hours which is unlikely to have any material impact on capacity.
- Given the levels of on-street parking locally, the highway authority has reviewed proposed parking provision to ensure that there is sufficient parking.
- The scheme proposes 93 spaces to serve the gym and 130 spaces to serve the hotel/pub and the highway authority raises no objection to the proposed level of parking.
- With regard to cycle parking provision, the highway authority has recommended a provision of 20 cycle spaces to serve the gym and 12 for the nursery and 20 for the hotel/pub. These requirements can be covered by Condition.
- The applicant has agreed a financial contribution of £100,000 based on the proportionate cost arising from trips generated by the proposals. The contribution will be used towards highway improvements on Whiteley Way within the vicinity of the site, specifically to the Whiteley Way, Parkway South and Rooksdown Avenue junction.

Highways England

- Highways England interest is in the M27, in particular M27 Junction 9.
- Due to the extant planning permission at this site, Highways England do not offer any objections to this proposal.

Environment Agency

- Objection to the proposed development because it involves the use of a non-mains foul drainage system in circumstances where it may be reasonable for the development to be connected to a public sewer but inadequate justification has been provided for the use of a non-mains system.

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HCC Flood and Water Management

- No objections.

Southern Water

- No objections.

Natural England

- The proposed treatment scheme would achieve a level of nitrogen removal that would be acceptable in relation to the International Sites within the Solent.
- Natural England understands the lake does not discharge into the River Itchen and therefore phosphate levels do not require further assessment within the HRA.

Representations:

Fareham Borough Council

- No objection.

Whiteley Town Council

- Objection:
- The proposals do not comply with Policy SHUA2 which requires a range of high technology and business uses falling within Class B1 (Business). The proposals for a gym, nursery, hotel and industrial units do not comply with the policy and will provide low paid jobs in an area with high levels of employment.
- The scale and mass of the hotel and car park will not make a positive contribution towards the overall appearance of the business park or the main entrance into Whiteley. Policy SHUA2 requires buildings to be under 14m and this should be closely adhered to.
- Areas that are not part of the site have been included within the proposed 30% parkland provision which is contrary to the policy requirement that it should be in addition to the structural landscaping which adjoins the site.
- There are objections to the timing of the scheme ahead of planned highways improvements works. Hampshire County Council as the Highways authority acknowledges that the surrounding roads are operating beyond capacity. Until the planned highways improvements have been completed no further development should be permitted.
- The historic nature of the planning allocations in Whiteley do not take account of the much higher intensity use of office space today compared to when the developments were planned in the 70s and 80s. This together with the redevelopment of Whiteley Shopping Centre has created a far higher demand on the highways network than originally envisaged. The parking provision is correspondingly inadequate.
- The extreme congestion in and around peak times is unacceptable to our residents.
- Whiteley Town Council have also commented on the submitted Vail Williams Market report and Transport Assessment and Travel Plan by Bellamy Roberts questioning various findings in these reports, the full comments from WTC are set out in Appendix 1 below.

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82 letters received from 79 addresses objecting to the application for the following material planning reasons:

- Traffic / congestion / highway safety concerns.
- Infrastructure should be improved before any further development.
- Inadequate parking provision.
- Reliance on car travel.
- Need to focus on a new school, doctors surgery, a library, better public transport.
- Over-development of the area.
- Impact on the environment / wildlife.
- Loss of green spaces / trees.
- Increased pollution / Increased noise from traffic
- No need for another hotel, gym, nursery in locality or industrial units.
- Detrimental visual impact of hotel on approach to Whiteley.
- No additional highway crossings planned.
- No employment issues in Whiteley.
- Concern about impact of industries which may occupy commercial units.
- Negative visual impact / out of character / dominant scale of buildings.
- Light Industrial Units are out of keeping with the wider use of the Business Park.
- Several units in the business park are empty.
- The hotel and restaurant in terms of scale and use class cannot be considered ancillary to the business park.
- The protection of the site for B1 employment uses was a key reason why the Inspector examining the Local Plan Part 2 did not allocate additional land for B-use class development in the area.
- The proposed C1 use will deliver relatively limited employment benefits.
- The development is contrary to the development plan in relation to the C1 and A3/A4 uses and lacks sufficient material consideration to allow these uses.
- There is no viability information which suggests that these the C1 / A3 / A4 uses are required to make the B-use class element viable.
- Lack of certainty that the B1 uses will come forward.
- Whiteley shopping centre is within walking distance and already has all of the proposed.
- Negative impact on current local business employee working environment.
- MSCP not safe for women on their own leaving work late at night.
- The Applicant has not presented any robust evidence to support the assertion that the proposed uses will “primarily” serve the business park or that they cannot be located at the nearby Whiteley town centre.
- The proposals are for a mix of disparate uses arranged in a sporadic manner which maximises land take and prioritises accommodating car borne traffic through the provision of extensive surface level car parking at the out of centre application site.
- The inflexible approach to matters such as format and scale means that opportunities to utilise suitable town centre or edge of centre sites in the wider area have not been fully explored.
- There is scope to accommodate additional development within / at the edge of the identified town centre, including provision of a new hotel, whereas the approval of a hotel at the out of centre Solent Business Park site would be likely to have a significant adverse impact on the future investment in Whiteley town centre.
- NPPF paragraph 90 states that where an application fails to satisfy the sequential

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test or is likely to have a significant adverse impact on planned investment, it should be refused.

11 letters of support received supporting the application for the following material planning reasons:

- There is a need for hotel and nursery and proposals would bring a small boost to the attractiveness of the area for business and provide jobs.
- The development should come with improvements to infrastructure.
- Provision of needed parking, especially for existing office uses.
- The additional amenities such as the gym, nursery and hotel will benefit the park and reduce lunchtime journeying to the shopping centre.
- The proposals are well designed and sympathetic to the existing office buildings with a good level of landscaping.
- The proposals will bring business stability to the area.
- Proposals will have a reduced impact compared to the consent office development.
- There is a demand for a day nursery in the locality.

In addition to these 46 signatures / standard letters of support for the proposals were submitted by the applicant.

3 letters of comment received raising the following points about the application:

- The plans need to include / support public transport.

Comment from NATS (formerly National Air Traffic Services)

- The proposals have the potential to have a detrimental impact upon the infrastructure and operations of NATS due to congestion.
- Road improvements associated with the North Whiteley Major Development should be completed and open to traffic prior to commencement of these works.
- Improvements to public transport need to be delivered.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1)

- DS1 – Development Strategy and Principles
- SH1 – Development Strategy for South Hampshire Urban Areas
- CP8 – Economic Growth and Diversification
- CP10 – Transport
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP14 – Effective Uses of Land
- CP16 – Biodiversity
- CP17 – Flood Risk
- CP20 - Heritage and Landscape Character
- CP21 – Infrastructure and Community Benefit

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

- SHUA2 – Solent 1 Employment Allocation
- DM1 – Location of New Development

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- 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
- DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Guidance:

- High Quality Places March 2015

National Planning Policy Guidance/Statements:

- Revised National Planning Policy Framework (2019)

Planning Considerations

- Principle of development
- Design and layout
- Impact on character of area and neighbouring property
- Landscape and Trees
- Access and Movement
- Flood and Water Management
- Sustainable Development
- Biodiversity
- Archaeology
- Planning Agreements / Obligations
- Other matters
- Conclusion

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The site is within the settlement boundary of Whiteley and allocated in the Local Plan for B1 uses by LPP2 policy SHUA2.

The site is identified as Grade A employment land on a prime business park. It is part of the Forum site which has extant planning consent for 10 office buildings. To date half of these have been built in the form of the existing 5 office buildings. Permission exists on the application site for 5 further buildings consisting of 28,708sqm.

The proposal consists of 20,742sqm of floorspace of which only 32% is for B1 uses with the remainder being non B1 activities consisting of a hotel (14%), restaurant/bar (4%), multi story car park (38%), gym (7%) and day nursery (2%). The application is therefore contrary to the aims of policy SHUA2 in that it doesn't substantively provide B1 development on the site.

In addition to this the non B1 elements of the application being proposed are town centre

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uses as defined by policy DM7 of the LPP2 and so should ideally be located within the town centre of Whiteley.

The development plan does however allow consideration of schemes which don't strictly adhere to these policies if certain criteria are met in relation to loss of employment land and town centre uses.

Loss of employment land

LPP1 policy CP9, although seeking the retention of employment land, also sets out certain criteria under which the loss of allocated employment land may be permitted. These are where retaining a business use would not be reasonable when considering the redevelopment potential for other employment uses or a mix of uses, and the benefits of the proposed use compared to the benefits of retaining the existing use.

In order to justify the provision of non B1 uses the applicant has provided a marketing report considering the level of interest in office development in the locality. This concludes that there is no prospect of the application site being developed for offices in the foreseeable future and that alternative uses should be considered. This is also evidenced by the fact that the further 5 office buildings which benefit from consent on the site have never been built, despite the original 5 being commenced in the early 2000's.

In response to this the Council commissioned a further report from a different surveyor to review the findings and provide an independent opinion on the viability of office development. This also concluded that it is not viable to develop more offices in this location and that it is reasonable to consider alternative uses for which there is greater demand and which would improve the ability to let the existing offices. However, the report noted that it was imperative that any alternative uses should complement and support the core office use on the business park and should not include development which does not benefit the function of the business park.

The proposed uses have therefore been considered in light of this requirement as follows:

- The hotel would primarily be expected to attract customers visiting the business park or surrounding commercial area and therefore would be an asset to the park.
- The restaurant/bar is proposed to operate in conjunction with the hotel and would therefore share this customer base to some extent. Although it might attract customers from outside the park, its scale is relatively small and could be considered an ancillary use given the nature of the buildings on the site and in the locality.
- The multi storey car park is significant, providing some 300 spaces specifically proposed to address the parking shortfall of the existing forum buildings. As such it is tailored to address the existing parking need for the offices and so help improve the functioning of the business park.
- The proposed nursery would provide a valuable facility for users of the business park.
- The gym would also be likely to draw customers from within the business park although could have a wider catchment area.

Therefore, overall it is accepted that the proposed uses would complement the function of the business park. The findings of the marketing reports are therefore accepted. The Council's own Estates Manager has also reviewed the reports and agreed that their conclusions reflect the current situation in the business park. The Council's Economic

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Development Manager has also advised that the proposals are in line with the council's economic strategy to provide space for business and other employers and that the hotel in particular is likely to encourage new business into the area.

As well as being satisfied that the proposed uses complement the function of the business park, it is also important that there is a B1 element to the application and that this can be delivered. The application proposes light industrial buildings (B1c use class) consisting of 6,796sqm in floor area. This element of the proposal is in outline form and so would be provided in the second phase of development along with the nursery and gym. A condition is attached (condition 25) to ensure that the light industrial units are brought forward as part of this second phase. Therefore, the B1 requirement of policy SHUA2 is in part reflected in the scheme and overall the dominant use of buildings on the whole Forum site will still fall within B1.

Therefore, in light of the marketing reports and the nature and scale of the particular uses being proposed, it is considered reasonable to accept this mixed use development instead of a purely B1 development on this site – a position allowed for by Policy CP9. The uses are more deliverable than offices and will benefit and supplement the overall operation and attractiveness of the business park.

Town centre uses

The applicant has also submitted a sequential test which considers whether there are alternative sites available within, or closer to, Whiteley town centre which would be more appropriate for the non B1 uses. This concludes that there are no alternative sites available for such uses. It is accepted that there are no clearly deliverable alternative sites available within the town centre for the proposals. This concurs with a similar sequential test submitted with the recent Lidl foodstore application 17/00164/FUL.

Policy DM7 of the LPP2 also requires that town centre uses located outside defined centres should avoid significant harmful impacts on the centre. The majority of the town centre uses are retail and restaurant premises. The only proposed use which might have an impact on the centre is the gym. The Council's Sports and Physical Activity team have advised that this element of the proposals is likely to have a negative economic impact on Meadowside Leisure Centre by taking customers away from this facility. However, it is accepted that the proposed gym would primarily serve users of the business park. The area is also already well served by a range of gym providers (the Whiteley market can currently access 11 gyms within a 20 minute drive time). It is therefore a fairly saturated market anyway and it is not considered that a gym in this location would significantly harm the town centre.

Therefore, given the nature of the proposed uses, and the conclusions above that they would primarily serve the business park, it is not considered that the proposed uses would detract from the existing uses within Whiteley town centre.

In conclusion, the principle of developing this site with a mix used scheme is considered to be acceptable and in accordance with the provisions of policy CP9 of the LPP1 and DM7 of the LPP2. Given the market conditions and the complementary nature of the proposed uses, it is also considered that the proposals align with the aims of policy SHUA2 of the LPP2.

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Design and Layout

Policy SHUA2 requires development of the site to incorporate a high standard of design so that the buildings make an individual and positive contribution towards the overall appearance of the business park. Policy CP13 of the LPP1 expects new development to meet the highest standards of design. Winchester Local Plan Part 2 also has policies (DM15 to DM17) which deal specifically with design criteria and the Council has its own Supplementary Planning Document on Design called High Quality places. The development should accord with these policies and SPD.

The application is supported by parameter plans and a masterplan. The parameter plans define the land use, extent of the detailed and outline applications, building heights, maximum building lines, vehicle and pedestrian access routes, and green infrastructure. The masterplan shows the disposition of the buildings, parking, landscaping, access and spine road.

Of the proposed buildings, only the hotel, restaurant/bar and MSCP form part of the detailed application. Detailed floorplans and elevations of the nursery, gym and light industrial buildings will therefore be provided through a reserved matters application. The parameter plans and masterplan do however provide a framework for how the outline elements of the proposals would be expected to come forward. Full details and elevations are provided of the hotel, restaurant/bar and MSCP.

Parameter plans

The parameter plans are considered to be acceptable, defining and setting limits on the various elements of the hybrid application. The location, extent and use of the proposals are all appropriate as are the structural elements such as landscape and pedestrian and vehicular routes. Building heights are set at appropriate limits with the light industrial buildings set at a maximum of 9m height and the gym and nursery at 8 and 7m respectively.

Masterplan

The layout of the scheme has been developed in discussion with Council officers and has resulted in some significant positive changes to the masterplan. For instance it was advised that key buildings should be located closer to the north west and south west corners of the site on Whiteley Way to act as focal points near junctions and roundabouts. The applicant has responded to this by locating the proposed hotel on the corner of the site near the Whiteley Way / Parkway roundabout (known as R1) and one of the light industrial buildings on the corner near the Whiteley Way / Parkway North junction (R1a).

The remainder of the light industrial buildings will be located in the northern part of the site. The multi storey car park (MSCP), restaurant/bar, gym and nursery are proposed to be located approximately within the middle of the site with the gym and nursery adjacent to the lake which divides the site from the existing Forum buildings. The MSCP and restaurant will be adjacent to the boundary with Whiteley Way. There will be large areas of open surface parking between the hotel and pub / restaurant and south of the gym and smaller blocks of parking spaces adjacent to the other buildings. A spine road will be provided within the site running from the existing access of Parkway South up to a new access onto Parkway north near R1a.

This layout is considered to be acceptable. The site is large enough to accommodate

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this number and scale of buildings and they are suitably dispersed across the site with landscaping and parking in between them. A key element of the layout is the siting of the hotel on the front corner of the site where it will provide a focal point on the approach to the business park and will take advantage of the setting of the water feature and fountains. Developing the site without a prominent building as a backdrop to this water feature would be a missed opportunity and would fail to provide a strong presence on this important corner. Without the building in this position, the views into the site on approach would be likely to be of large areas of car parking which would be disappointing.

The nursery and gym will benefit from being located near the central lake and the amenity value this provides. This central position will also ensure that these facilities are most accessible to users of the business park. While it may have been desirable to see the restaurant/bar sited near the lake, it is accepted that this use is intrinsically linked with the hotel for operational purposes and so had to be located nearer Whiteley Way.

It is sensible to locate the light industrial buildings in a cluster to the north rather than intersperse them with the other uses. These do not primarily address the lake but at reserved matters stage there will be the opportunity to ensure that the main industrial building adjacent to the lake is designed in such a way as to respond to this setting.

Design of the buildings

Given the key position and prominence of the proposed hotel is considered essential that this building is of a high quality design. Officers have therefore spent some time working with the applicant and the hotel provider Travelodge to improve and refine the appearance of the building.

The initial plans for the hotel showed a fairly monolithic building with a very monotonous elevation treatment in terms of tones and rhythm. It was felt that this would have resulted in a poor development which didn't respond to its context including the important approach to the site from the M27. The Winchester-Eastleigh design review panel also commented that there was scope to improve the appearance of the hotel through more articulation on the elevations by recessed windows, while a simplified palette of materials and roof would help produce a more elegant building.

Changes to the design went through several iterations and included:

- Articulating the northeast corner of the building, above the entrance, with much more glazing to make a strong feature of this part of the building, which is in a prominent position facing the car park. This will also help to blend the building into the sky and, by that, reduce the overall mass of the built form.
- The entrance on the east corner is now more clearly defined to improve the legibility of the area and help to achieve a successful active frontage.
- The mass of the building is now more distinctly broken up through a section on the west side being more significantly stepped forward and taller than the rest of the block.
- The proposed materials have been rationalised to relate to the different parts of the building with the ground floor plinth brickwork a darker grey brick, the upper floors of the main body of the building a lighter brick, vertical metal cladding to the stepped / taller section to be dark grey.
- Elements such as the windows have been rationalised and panels added between

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some to produce a more vertical emphasis to the building.

Overall the proposed hotel is now a more elegant, simple building, visually broken up into distinct elements but well ordered. It is considered it will make a positive contribution to the context responding well to the approach to the site from the M27 and internally to the car park and circulation areas.

Policy SHUA2 requires that development on the site generally avoids being over three stories or 14 metres in height to eaves level. The main roof of the hotel is 13.7m in height but the taller block is 15m in height. The hotel is also providing 4 floors of accommodation. The building therefore exceeds the limits of SHUA2. However, it only exceeds these thresholds to a minor extent and it is considered that this prominent location on the site requires a building of reasonable scale to act as a suitable focal point.

The proposed restaurant/bar was originally designed to appear like a traditional countryside pub. Officers felt unconvinced by this approach, given the context is a modern high-tech business park and a number of the surrounding offices and supporting buildings are cotemporary in style and materials. The Winchester-Eastleigh design review panel were also quite critical of the appearance of this building in this context.

Officers therefore asked the applicant to consider a more contemporary interpretation of the building to show more regard to it's setting, including the hotel with which it will share a close relationship, both spatially and operationally.

The response has been to keep the traditional form of the building as originally submitted but to finish it in a more contemporary style and detailing. This includes crisp, simple detailing, vertical cladding, contemporary style windows, doors and other features. The materials will match those used on the hotel in terms of bricks, cladding and window colours and this responds to a comment from the design review panel who advised that the buildings would provide a stronger overall development if they read together in both style and materials. The design of the restaurant/bar is now considered to be acceptable in this context.

The design review panel were also critical of the proposed public realm noting that the buildings appeared rather disconnected from each other and that the experience of walking from the hotel to the restaurant/bar for instance will be poor. The applicant has responded to this by strengthening the main pedestrian route between the hotel and restaurant with additional hedgerow planting, which is an improvement.

The other building submitted in detail is the multi storey car park (MSCP). This is proposed to be a split level building with central ramps providing access to 4 decks. There will be 2 towers located centrally on the south west and north east end elevations providing pedestrian access to all levels. These are the tallest elements of the building being 13.5m in height. The height of the main building will be 10 to 11m.

The MSCP has been designed in a contemporary style with a simple palette of materials. The two end elevations and the one facing Whiteley Way will be finished in galvanised metal mesh cladding and grey multi bricks at the base of the building. The south east elevation facing the existing Forum will be clad in expanded metal mesh

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cladding panels with the same grey brick base. This is considered to be a well conceived design approach to this building, in keeping with the character of the business park. The design review panel noted that this design was successful due to its simplicity, honesty, rational form and limited materials.

Overall the design and layout of the proposals are of good quality and it is considered that they will meet the requirements of policies SHUA2, CP13 and DM15-17 and will make a positive contribution towards the overall appearance of the business park.

Impact on character of area and neighbouring property

Policy CP13 of the LPP1 and policies DM15 to DM17 of the LPP2 require development to have a positive impact on the local context.

This is a large site, currently well screened on most boundaries by trees. The proposed buildings and associated development will change the character of the site as it is currently scrubland and overgrown with self seeded trees in certain parts. It is however allocated for development an expansion of the business park and an urbanisation of the site is anticipated by this allocation. The boundary planting will nevertheless be largely retained preventing open views of the buildings and car parking. Due to the scale of the buildings they will be partly visible beyond the trees but it is considered they will be in keeping with the appearance and character of the business park.

The key building is the hotel as this will be visible on the approach to the site from the M27 and this has been carefully amended to ensure its appearance is appropriate to this prominent position. It will take advantage of, and enhance the existing water fountain feature on this corner. Overall it is considered that the development will make a positive contribution to the character and appearance of the area and complement the existing surrounding buildings.

Policies DM17, DM19 and DM20 of the LPP2 require that development should not to have an unacceptable adverse impact on adjoining property or result in unacceptable levels of pollution to neighbours. There are no residential properties in close proximity to the site. The buildings will also be sufficiently far enough away from the existing Forum buildings to prevent any adverse impacts on the occupiers of these offices.

Landscape and Trees

Policy CP20 of the LPP2 and policy DM24 of the LPP2 require that development preserves landscape character and safeguards important trees. Policy SHUA2 requires the development to include parkland, which as a minimum should constitute around 30% of the site area. This is in addition to the structured landscaping with adjoins the sites.

The application is supported by landscape drawings and details and a Green Infrastructure Parameter plan. These show that over 30% of the site will be landscaped. While it would be preferable if these landscaped areas were less dispersed around the various buildings and provided one or two larger distinct focal areas of parkland, it is accepted that there is adequate landscaping on site. It is also noted that the extant consent for 5 office buildings on the site plus ancillary parking does not itself provide many large useable areas of parkland, but relies on the central lake areas for this amenity space.

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The landscape documents include a landscape and visual Impact assessment which accurately concludes that the site has low landscape sensitivity and that the proposals would not result in adverse impacts on either landscape character or visual amenity.

The illustrative Masterplan proposes to retain most of the very important boundary trees which wrap around the site on its boundary with Whiteley Way and Parkway, save for some removals to permit the new vehicular access on the north east boundary. The trees proposed for removal within the site are mainly C category groups so their loss is not significant in landscape terms. The proposed hard and soft landscaping is satisfactory and will result in an enhancement of the development.

Policy SHUA2 also requires that the development should include measures for the on-going maintenance and management of the landscape parkland. This is required by condition 15 which asked for a landscape management plan to be submitted.

Therefore the landscape proposals are in accordance with policies CP20, DM24 and SHUA2.

Access and Movement

Policy CP10 of the LPP1 and DM18 of the LPP2 requires development to make appropriate provision for parking and access and manage existing transport capacity efficiently. Policy SHUA2 also requires the development to contribute to infrastructure needed to make the development acceptable in planning terms.

HCC as highway authority have commented on the various highway issues related to the proposals.

Access

In terms of vehicular access to the site, the existing three accesses from Parkway into the Forum site will remain and provide access to the site. There will also be a new access off Parkway North (approximately 80m east of Junction R1a) leading to a new spine road which will run south west through the site. The new access will have a left in/left out lane with a 2m wide island in the centre of Parkway North. The access is acceptable in principle but will require further technical detail to be approved by HCC through the S278 process.

The applicant has provided proposed traffic generation figures for the gym, nursery, hotel, restaurant/bar, and B1c use. The 303 space car park will not generate increased trips to the site as it will only assist in reducing the continuing shortfall of parking for the existing offices at The Forum, which is currently displaced to on-street parking.

The applicant has provided updated modelling information which demonstrates that the new access will operate with no discernible delay or queuing. The site will also be accessed by both the proposed new access off Parkway North and by the existing Forum Site access off Parkway South. This arrangement will reduce the impact on Parkway North and South and is acceptable to the highway authority.

As vehicles will be able to enter the site at the closest convenient access the only junction on Parkway North/South affected by the proposal is the roundabout junction east of the new site access, as this will accommodate u-turning traffic. However, this will be a small proportional increase of around 25-27 vehicles during the peak hours which

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is unlikely to have any material impact on capacity.

Parking

Given the levels of on-street parking locally, the highway authority has reviewed the proposed parking provision for the detailed components to ensure that there is sufficient parking, eliminating the need for users of the site to park on-street. They have also reviewed the parking for the gym, because, although this is an outline component, it has been designed to meet the scale of a standard operator for such a use and so the numbers are quite specific.

The scheme proposes 130 spaces (plus 2 motorcycle bays) to serve the hotel and restaurant/bar and 93 spaces to serve the gym. The highway authority is satisfied that the proposed level of parking for these uses is acceptable.

The other outline components are the light industrial units and day nursery. 145 parking spaces are proposed for the light industrial units and 15 for the day nursery. However, the final scale of buildings and level of employment for these uses will not be known until the reserved matters stage, therefore the specific level of parking required cannot be determined yet. The levels of parking proposed appear appropriate for the indicative scale of the building and the specific level of parking required for the eventual floorspace provided at reserved matters stage can be controlled to ensure parking is provided as per the standards.

Cycle Parking

In terms of the cycle provision for the hotel and restaurant/bar 20 spaces are proposed which is acceptable. With regard to cycle parking provision, the highway authority has recommended a provision of 20 cycle spaces to serve the gym, which the applicant is willing to accept by condition (see condition 27). Provision of cycle parking for the other outline uses is also conditioned to be provided as per the standards (see condition 28).

Travel Plan

A travel plan is required to secure sustainable travel measures for the development. The detail of this is to be agreed between the applicant and HCC and secured with a S106 legal agreement.

Mitigation

Although the site has extant permission for office use, and this application would result in lower in lower trip generation than the consented use, HCC have advised that this proposal is seen as a new planning permission due to the change of use. Therefore, whilst the impact from this development may be modest in terms of existing flows, the proportional element of the cumulative impact on the network should be mitigated. The applicant has agreed a financial contribution of £100,000 based on the proportionate cost arising from trips generated by the proposals. The contribution will be used towards highway improvements on Whiteley Way within the vicinity of the site, specifically to the Whiteley Way, Parkway South and Rooksdown Avenue junction. It is considered that such mitigation is in accordance with the CIL 122 Tests, namely that it is necessary to make the development acceptable in planning terms through cost effectively mitigating the impacts of the development, is directly related to the development through bringing forward improvements which directly serve the development, and is fairly and reasonably related in scale and kind to the development as a proportionate contribution based on additional trips has been agreed.

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Footpath Links

The masterplan and pedestrian access parameter plan show suitable pedestrian routes proposed within the site and linking to key access points or features such as the Parkway South and North accesses and the central Forum footpath around the lake. A footpath link is proposed onto Whiteley Way between the MSCP and restaurant/bar. The pedestrian routes are considered to be acceptable.

Overall the proposals are considered to be acceptable in highways terms and in accordance with policies CP10, DM18 and SHUA2.

Flood and Water Management

The site is within Flood Zone 1 and so at low risk of flooding.

A drainage strategy has been submitted. This has been assessed by HCC as the local lead flood authority and Southern Water and they are satisfied that the details are acceptable. More detailed drainage plans are required by conditions 8 and 16.

The application therefore accords with CP17 of the LPP1 in that it will make suitable provision for water management.

Sustainable Development

Policy CP11 of the LPP1 expects non-residential development to be 'BREEAM Outstanding' from 2016, subject to the need for this to be practical and viable.

The outline components of the scheme will be required to address the BREEAM requirements at the reserved matters stage. Of the detailed components, the hotel and restaurant/bar both fall under BREEAM, whereas the MSCP does not as BREEAM is used for the assessment of buildings that are designed to be occupied.

The initial BREEAM pre-assessments submitted with the application indicated that the hotel and restaurant would only achieve a BREEAM rating of 'Very Good'. Officers considered that this was unacceptably low and that the proposals ought at least to be achieving BREEAM 'Excellent'.

The applicant has argued that it would be unviable and technically unfeasible to achieve a higher rating for this model of hotel or restaurant/bar.

Following further discussions between the applicant's team and officers (in liaison with the Council's Sustainability consultant), further work has been undertaken by the applicant to improve certain aspects of the performance of the two buildings. This has resulted in updated BREEAM pre-assessments being submitted, which have focused on various improvements but in particular improving the energy efficiency of the buildings through better insulation and air tightness. The pre-assessments now indicate that, while the overall level achieved is still 'Very Good', both buildings can now achieve an 'Excellent' rating in respect of the energy credits for BREEAM.

In this context this is considered acceptable and conditions are attached requiring the developer to provide BREEAM interim and post construction certificates to meet these stated levels for the hotel and restaurant/bar, and to ensure that the reserved matters application provides BREEAM pre-assessments in respect of the outline components

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(conditions 7 and 24).

Biodiversity

Policy CP16 of the LPP1 supports development which maintains, protects and enhances biodiversity.

Nitrogen neutrality

The proposed development is within Winchester District where foul water is distributed into the European designated areas Solent SPAs/Ramsar sites via water treatment plants. In accordance with advice from Natural England and as detailed in Policy CP16 a net increase in residential development within Winchester District is likely to result in impacts to the integrity of those sites through a consequent increase in Nitrates. The proposed hotel falls within the category as it is providing overnight accommodation.

The applicant has developed a bespoke solution to this. The Forum site benefits from two small man-made lakes. The proposed strategy to deal with the nitrates in the foul water is to discharge this water to an on-site treatment plant and then into the lakes where, over a period of some months, denitrification will naturally occur before the water discharges into a storm water sewer which is part of the mains surface water drainage network. This process will not completely remove nitrogen from the water that eventually discharges into the network but it will reduce it to such an extent that it is considered negligible.

Natural England have assessed this strategy and are satisfied that it will achieve a level of nitrogen removal that would be acceptable. An appropriate assessment has been conducted in relation to this. It has been demonstrated that, though the proposal would generate a surplus of nitrates, the proposed mitigation strategy is acceptable in relation to the impacts on the International Sites within the Solent.

However, the Environment Agency would need to approve an Environmental Permit for the discharge of the foul water into the lakes. The Environment Agency have advised that they would not be likely to grant such a permit. Their position is that, if mains sewerage is available, development should discharge sewage to the public foul sewer. The Environment Agency will not support non-mains drainage proposals apart from in exceptional circumstances where it can be demonstrated by the applicant that it is not practicable or reasonable to connect to the mains sewer.

It will therefore be for the applicant to demonstrate to the Environment Agency that the proposed nitrates mitigation strategy is reasonable and appropriate in these circumstances and would be less harmful to the environment. However, given the position of the Environment Agency, it is possible that the applicant will not be able to obtain an Environmental Permit. The applicant has advised however that they would be willing to mitigate the impacts of the hotel on the International Sites within the Solent through the alternative Avoidance and Mitigation Strategy which is now available to developers. This involves applying a Grampian Condition to the consent requiring appropriate mitigation to be in place prior to the occupation of the hotel. There are a number of alternative mitigation measures that could be pursued but the most likely one will be nitrate offsetting by taking a parcel of agricultural land out of agricultural use.

A Grampian condition is therefore proposed which seeks to cover both these options, allowing for either the bespoke on site mitigation utilising the lakes, or, if, a Permit for

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this is not forthcoming, the alternative mitigation measures. (Condition 13).

An appropriate assessment has been undertaken in respect of potential likely significant effects (LSEs) on disturbance, water quality and water levels, and changes to air quality arising from this scheme. The appropriate assessment confirmed that, with the nitrate mitigation measures proposed, the development will not have adverse effects on the identified internationally protected sites (Solent & Southampton SPA/Ramsar), alone or in-combination with other plans or projects.

In some cases, proposals for hotels within 5.6k of the Solent & Southampton SPA/Ramsar are required to make contributions towards the Strategic Recreation Management Plan (SRMP), now known as Bird Aware. This is to mitigate the recreational impact of visitors on bird habitat on the southern coast. However, it is accepted in this case that the majority of visitors to the hotel would be commercial customers visiting in relation to the business park or surrounding urban areas, rather than those looking to visit the south coast for leisure purposes. It is therefore considered that the Bird Aware contribution would not be triggered by this proposal.

Other biodiversity issues

The site currently contains scrubland and trees. A considerable amount of this natural open space will be lost due to the development, however, it is acceptable that the extant consent for office buildings would itself urbanise the site to a greater extent than the current proposals.

Surveys have confirmed that Dormice are present on site and would be affected by the loss of habitat resulting from the development. To mitigate this, the proposed landscape plans have been enhanced with extensive shrub planting to provide a suitable habitat and in particular movement opportunities for the Dormice.

Trees with bat roost potential will be retained on site and the design of the scheme ensures that dark corridors will remain within the site to maximise bat connectivity.

A contribution is required in via the s106 legal agreement to make provision for a receptor site for reptiles.

Further details and mitigation measures in respect of biodiversity are recommended within the submitted ecological report and these are required to be provided by condition 22.

Therefore, on the basis of the mitigation measures discussed above and being mindful of the extant permission for this site, it is considered that the proposals are in accordance with policy CP16 of the LPP1.

Archaeology

Policies DM26 of the LPP2 and CP20 of the LPP1 require development to make appropriate consideration of archaeology. There are no known archaeological remains within the site itself or the immediate vicinity. Furthermore, (based on previous archaeological work undertaken in the vicinity), there are no concerns regarding potential impacts on previously unknown archaeological deposits.

Therefore no further archaeological assessment is required.

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Planning Obligations/Agreements

The following planning obligations and financial contributions need to be secured through a Section 106 legal agreement:

- Financial contribution of £100,000 towards improvement measures on Whiteley Way, including the junction of Whiteley Way/Parkway South and Rooksdown Avenue
- Full travel plan and surety, together with the highway authority's approval and monitoring fees.
- A financial contribution to ensure the appropriate maintenance of the nitrate mitigation facilities for perpetuity.
- A financial contribution to make provision for a receptor site for reptiles.

In seeking these planning obligation and financial contributions the local planning authority has had regard to the tests laid down in para 56 of the NPPF which requires the obligations to be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development

Other Matters

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Conclusion

While the proposed mixed use development is not primarily for B1 use as required by policy SHUA2, it is accepted that the mix of uses are more deliverable than offices and will benefit and supplement the overall operation and attractiveness of the business park. The design and layout of the scheme, as amended, is acceptable and the proposals have also addressed issues relating to landscape, access, nitrates, biodiversity, sustainable development and flood and water management.

The application is therefore recommended for approval.

Approval subject to the completion of a Section 106 legal agreement for the items listed above and subject to the following conditions:

Conditions

Timescale for Starting Development

1 The detailed components of the development hereby permitted (hereinafter termed Phase 1) shall be begun before the expiration of three years from the date of this permission.

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Reason: To comply with the provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Application for approval of the reserved matters for the outline components (hereinafter termed Phase 2) shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

3 The development of Phase 2 shall be begun either before the expiration of five years from the date of this permission, or before the expiration of three years from the date of approval of Phase 2, whichever is the later.

Reason: To comply with the provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

4 The implementation of Phase 1 and the submission of the reserved matters details for Phase 2 shall be in accordance with the following plans and documents:

Application Plans by EPR

- Site Location Plan 10600-T-00-0009-Z00 Rev 07
- Illustrative Masterplan 10600-T-00-0010-Z00 Rev 06
- Land Uses Parameter Plan 10600-T-00-0011-Z00 Rev 06
- Application Extents Parameter Plan Parameter Plan 10600-T-00-0012-Z00 Rev 05
- Building Heights Parameter Plan 10600-T-00-0013-Z00 Rev 06
- Maximum Building Lines Parameter Plan 10600-T-00-0014-Z00 Rev 03
- Vehicular Access Parameter Plan 10600-T-00-0015-Z00 Rev 06
- Pedestrian Access Parameter Plan 10600-T-00-0016-Z00 Rev 06
- Green Infrastructure Parameter Plan 10600-T-00-0017-Z00 Rev 06

Plans of the MSCP by EPR

- Proposed Levels 00 and 00a Floor Plan 10600-T-04-0200-Z00 Rev 04
- Proposed Levels 01 and 01a Floor Plan 10600-T-04-0201-Z01 Rev 04
- Proposed Levels 02 and 02a Floor Plan 10600-T-04-0202-Z03 Rev 04
- Proposed Levels 03 and 03a Floor Plan 10600-T-04-0203-Z05 Rev 04
- Proposed Typical Detail - South East 10600-T-04-0501-ZAA Rev 04
- Proposed Typical Detail - North West 10600-T-04-0502-ZAA Rev 04
- North East Elevation 10600-1-04-0400-ZNE Rev 04
- North West Elevation 10600-1-04-0401-ZNW Rev 04
- South East Elevation 10600-1-04-0402-ZSE Rev 04
- South West Elevation 10600-1-04-0403-ZSW Rev 04

Plans of the Hotel and Restaurant by Design Development Partnership

- Proposed Site Plan 196-01 Rev U
- Proposed Hotel Ground and First Floor Plan 196-02 Rev L
- Proposed Hotel Second and Third Floor Plan 196-03 Rev H

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- Proposed Hotel Sections 196-04 Rev F
- Proposed Hotel Elevations 196-05 Rev P
- Proposed Hotel Roof Plan 196-10 Rev D
- Ground Floor as Proposed 1830/03D
- First Floor Plan as Proposed 1830/04E
- Elevations as Proposed 1830/05K
- GA Sections as Proposed 1830/06A
- Proposed Building Lighting 1830/07B
- Service Yard Layout 1830/08A
- Fence and Wall Details 1830/39
- Proposed Licensing 1830/10A
- Proposed Building and Patio Lighting 1830_14A
- Drainage Strategy 18-7581-100 Rev P7

Landscape Plans and Documents by Churchman Landscape Architects

- General arrangement plan 497-CLA-XX-XX-DR-L-1001 Rev 03
- Hard landscape detailed area plan 497-CLA-XX-XX-DR-L-1003 Rev 02
- Soft landscape detailed area plan 497-CLA-XX-XX-DR-L-1004 Rev 02
- Landscape Principles – Materials 497-CLA-XX-XX-DR-L-1010 Rev 01
- Hard landscape plan 1/5 497-CLA-XX-XX-DR-L-1011 Rev 02
- Hard landscape plan 2/5 497-CLA-XX-XX-DR-L-1012 Rev 02
- Hard landscape plan 3/5 497-CLA-XX-XX-DR-L-1013 Rev 02
- Hard landscape plan 4/5 497-CLA-XX-XX-DR-L-1014 Rev 02
- Hard landscape plan 5/5 497-CLA-XX-XX-DR-L-1015 Rev 01
- Sections 1 497-CLA-XX-XX-DR-L-2001 Rev 02
- Sections 2 497-CLA-XX-XX-DR-L-2002 Rev 02
- Sections 3 497-CLA-XX-XX-DR-L-2003 Rev 03
- Sections 4 497-CLA-XX-XX-DR-L-2004 Rev 02
- Landscape Principles – Planting Rev 491-CLA-XX-XX-DR-L-5000 06
- Planting Plan 1/7 491-CLA-XX-XX-DR-L-5001 Rev 03
- Planting Plan 2/7 491-CLA-XX-XX-DR-L-5002 Rev 03
- Planting Plan 3/7 491-CLA-XX-XX-DR-L-5003 Rev 03
- Planting Plan 4/7 491-CLA-XX-XX-DR-L-5004 Rev 03
- Planting Plan 5/7 491-CLA-XX-XX-DR-L-5005 Rev 03
- Planting Plan 6/7 491-CLA-XX-XX-DR-L-5006 Rev 03
- Planting Plan 7/7 491-CLA-XX-XX-DR-L-5007 Rev 03

Highways Plans and Documents by Bellamy Roberts

- General Layout and Street Lighting 5186-006 Rev E
- Spine Road Design Long Profile 5186-007 Rev G
- Proposed Road Alignment with Level Information 5186-009 Rev G
- Road and Hard Landscaping SUDS Strategic Layout 5186-012 Rev G
- Proposed Access Junction 5186-017 Rev B
- Kerb Types, Cross Sections and Standard Details 5186-018 Rev B

Other Supporting Documents

- Planning Statement April 2019 by CBRE
- Sequential Assessment April 2019 by CBRE

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- Design and Access Statement 02.04.19 EPR Architects
- Landscape and Visual Impact Assessment Ref: A190-RE-01_V1 by Arc
- Detailed Component – Area Schedule Rev 4 By EPR
- Outline Component – Maximum Development Parameters Rev 4 by EPR
- Illustrative Façade Material Pallet for the Outline Elements by EPR Architects
- Transport Assessment GDB/HL/5186/TA.4 by Bellamy Roberts
- Supplementary Transport Note 3 GDB/MT/5186/STN.3 by Bellamy Roberts
- Framework Travel Plan GDB/HL/5186/FTP.6 by Bellamy Roberts
- Delivery Management Plan Rev B Design Development Partnership
- Flood Risk Assessment 21/0005/FRA by Clancy Consulting
- Foul and Surface Water Drainage Strategy 21/0005/DS by Clancy Consulting
- Air Quality Assessment AQ106354R1 by REC
- Noise Impact Assessment AC106344-1R2 by REC
- Ecological Assessment 7724.EcoAss.vf1 by Ecology Solutions
- Mixed Scrub Plan 7724
- Dormouse Planting Changes
- Archaeological Desk-Based Assessment 18517 by Cotswold Archaeology
- Solent Business Park Market Demand Report by Hughes Ellard & CBRE
- Preliminary Geo-Environmental Appraisal Report 10/1087/001 by Clancy Consulting
- Arboriculture Impact Assessment RT-MME-129685-02 Rev C March 2019 by Middlemarch
- Nitrate Neutrality Report Rev G by Design Development Partnership
- Drainage Strategy 18-7581-100 Rev P5 by Complete Design Partnership Ltd
- Micro Drainage Calculations by Complete Design Partnership Ltd
- Drainage Maintenance Plan 17-7581 by Complete Design Partnership Ltd
- Surface Water Drainage Management & Maintenance Plan GDB//MT/5186/SWMP.1 by Bellamy Roberts
- Drainage Strategy Consideration in Line with Ciria SUDs Manual 2015 JCB/5186/DS by Bellamy Roberts
- Drainage Strategy 18-7581-100-P7 by Complete Design Partnership Ltd
- MicroDrainage Source Control Output:
 - Phase 1 Car Park.srcx (30 year RP) [23/01/2019]
 - Phase 1 Filter Drain.srcx (30 year & 100 year + 40% RP) [23/01/2019]
 - Phase 1 Pond 1.srcx (30 year & 100 year + 40% RP) [23/01/2019]
 - Phase 2 Crates.srcx (30 year & 100 year + 40% RP) [23/01/2019]
- Statement of Community Involvement

Reason: To accord with the Policy SHUA2 of the Winchester Local Plan Part 2 and to define the scope of this permission.

Conditions to be discharged before Development Commences on Phase 1

5 Prior to development starting on Phase 1, other than works relating to site preparation or ecology, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities.
- Public communication strategy, including a complaints procedure.

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- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and Highways.
- Construction traffic routes and their management and control, provision for contractor's parking, construction traffic access, the turning of delivery vehicles within the confines of the site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction work.
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development of Phase 1 commences and then retained / adhered to throughout the duration of the construction period for this Phase.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties, businesses or highway safety.

6 Prior to development starting on Phase 1, or other works such as demolition, clearance, groundwork or site preparation, protective measures shall be installed in accordance with the Arboriculture Impact Assessment RT-MME-129685-02 Rev C March 2019 by Middlemarch. The Council's Arboricultural Officer shall be informed once such protective measures have been installed to arrange a site inspection. All works shall be undertaken in accordance with this approved document.

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

7 Prior to development starting on Phase 1, interim BREEAM Certificates shall be submitted to and approved in writing by the local planning authority. These shall demonstrate that the hotel achieves 65% of BREEAM points and 5 Ene 01 credits and the restaurant achieves 60% of BREEAM points and 5 Ene 01 credits, unless otherwise agreed in writing by the local planning authority, The development shall be built in accordance with these approved details.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2019 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

8 Prior to development starting on Phase 1, details of the proposed means of foul sewerage disposal for this phase shall be submitted to, and approved in writing by, the local planning authority in consultation with Southern Water. The development shall be built in accordance with these approved details.

Reason: To ensure satisfactory provision of foul water drainage.

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9 Prior to development starting on Phase 1, the developer must advise the local planning authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers and water mains.

Reason: In order to protect water mains and sewers.

10 Prior to development starting on Phase 1, an Employment and Skills Plan shall be submitted to and approved in writing by the local planning authority. The Plan must include the contractors for the development of this phase and must be adhered to for the duration of the construction phase of the development.

Reason: The Council has adopted the Construction Industry Training Board's approach for large scale planning applications and requires an Employment and Skills Plan to secure a range of local employment, volunteering, apprenticeship, training and development activities during the construction phase.

11 No ground clearance or underground works shall commence on site until a detailed plan for such works has been submitted to and approved in writing by the local planning authority in consultation with NATS En Route plc. All ground and underground works shall be carried out in accordance the approved details.

Reason: In the interests of aviation safety and of the operations of NATS En Route plc.

Conditions to be discharged Prior to Construction above Slab Level on Phase 1

12 Prior to construction above slab level on Phase 1, details and samples of the following materials shall be submitted to and approved in writing by the local planning authority:

- A suitable natural slate tile for the restaurant.
- External materials for the multi storey car park.
- Hard surfacing materials.

The hotel and restaurant shall be constructed in the following external materials:

Hotel:

- Facing Brick: Karma White-Grey handmade brick and Karma Grey handmade brick
- Cladding: Euroclad Vieo 0.7mm Steel, colour Anthracite ARS.
- Render: Wetherby through coloured silicon render, colour Grey (with colour matched render beads)
- Windows: Aluminium, colour RAL 7021 (externally).
- Doors: Aluminium, colour RAL 7021.

Restaurant:

- Facing Brick: Karma White-Grey handmade brick
(External boundary walls also to be in Karma White-Grey handmade brick)
- Weatherboard Cladding: Vertical Smooth Fibre cement board SVK Colourmat scripto Charcoal S404.
- Render: KRender through coloured silicon render, colour Limestone White, grain size 1mm (with colour matched render beads)
- Windows: UPVC, colour RAL 7021 (externally).
- Doors: Front of house RAL 7021; back of house RAL 7012

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- Facias, soffit, verge and external timber beams, post and pergola: Stained wood, colour Ebony.
- Entrance: Weatherboard Cladding as above with feature timber in timber, colour Ebony.
- Rainwater Goods: Black UPVC.

Reason: To ensure that the external appearance of the building is of a high order on this important site and in order to comply with the guidance in High Quality Places Supplementary Planning Guidance March 2015.

Conditions to be discharged prior to the Occupation / Use of the Phase 1 Buildings

13 The hotel or restaurant hereby permitted shall not be occupied until:

- a) The on-site nitrate mitigation strategy detailed in the submitted Nitrate Neutrality Report Rev G by Design Development Partnership is implemented in full accordance with this document including the submission to the local planning authority of details of monitoring and maintenance as detailed in Section 7 of the report, or alternatively;
- b) A water efficiency calculation has been submitted to and approved in writing by the local planning authority which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and;
- c) A mitigation package addressing the additional nutrient input arising from the development has been submitted to and approved in writing by the local planning authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the local planning authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites, and;
- d) All measures forming part of that mitigation have been secured and submitted to the local planning authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

14 The hard and soft landscaping of Phase 1 shall be undertaken in accordance with the following Landscape plans and documents by Churchman Landscape Architects

- General arrangement plan 497-CLA-XX-XX-DR-L-1001 Rev 03
- Hard landscape detailed area plan 497-CLA-XX-XX-DR-L-1003 Rev 02
- Soft landscape detailed area plan 497-CLA-XX-XX-DR-L-1004 Rev 02
- Landscape Principles – Materials 497-CLA-XX-XX-DR-L-1010 Rev 01
- Hard landscape plan 1/5 497-CLA-XX-XX-DR-L-1011 Rev 02
- Hard landscape plan 2/5 497-CLA-XX-XX-DR-L-1012 Rev 02
- Hard landscape plan 3/5 497-CLA-XX-XX-DR-L-1013 Rev 02
- Hard landscape plan 4/5 497-CLA-XX-XX-DR-L-1014 Rev 02
- Hard landscape plan 5/5 497-CLA-XX-XX-DR-L-1015 Rev 01
- Sections 1 497-CLA-XX-XX-DR-L-2001 Rev 02
- Sections 2 497-CLA-XX-XX-DR-L-2002 Rev 02

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- Sections 3 497-CLA-XX-XX-DR-L-2003 Rev 03
- Sections 4 497-CLA-XX-XX-DR-L-2004 Rev 02
- Landscape Principles – Planting Rev 491-CLA-XX-XX-DR-L-5000 06
- Planting Plan 1/7 491-CLA-XX-XX-DR-L-5001 Rev 03
- Planting Plan 2/7 491-CLA-XX-XX-DR-L-5002 Rev 03
- Planting Plan 3/7 491-CLA-XX-XX-DR-L-5003 Rev 03
- Planting Plan 4/7 491-CLA-XX-XX-DR-L-5004 Rev 03
- Planting Plan 5/7 491-CLA-XX-XX-DR-L-5005 Rev 03
- Planting Plan 6/7 491-CLA-XX-XX-DR-L-5006 Rev 03
- Planting Plan 7/7 491-CLA-XX-XX-DR-L-5007 Rev 03

The hard landscaping associated with Phase 1 shall be completed in accordance with the approved plans prior to the occupation or use of the buildings in this Phase. The soft landscaping of this Phase shall be carried out in the first planting season following the occupation of the buildings or the completion of the development in this Phase, whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the local planning authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the local planning authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

15 Prior to the occupation or use of the buildings in Phase 1, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out in accordance with the approved details.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public or nature conservation significance.

16 Prior to the occupation or use of the buildings in Phase 1, maintenance schedules for the entire surface water drainage system including individual SuDS features shall be submitted and approved in writing by the local planning authority. This shall include a plan illustrating the organisation responsible for each element and a timetable for implementation. The water surface drainage system shall be maintained in accordance with these approved details.

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

17 Prior to the use of the Multi Storey Car Park, details of the appearance and external materials of substation 1 shall be submitted to and approved in writing by the local planning authority. Works shall be undertaken in accordance with these approved details.

Reason: To improve the appearance of the site in the interests of visual amenity.

18 Prior to the occupation or use of the buildings in Phase 1, a Lighting Scheme (which complies with BCT & ILP 08/18) shall be submitted to and approved in writing by the local

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planning authority. All lighting shall be installed, maintained and operated in accordance with the approved Lighting Scheme.

Reason: To prevent light pollution in the interests of the appearance of the area, biodiversity and residential amenity.

19 Prior to the occupation or use of the buildings in Phase 1, the roads, parking spaces, service areas, cycleways and footways relating to these buildings shall be constructed, surfaced and marked out in accordance with the approved plans.

Reason: In the interests of safety and public amenity.

Conditions to be discharged following completion of Phase 1

20 Prior to 3 months after the date of the first occupation of the hotel and restaurant, or other date agreed in writing with the local authority, a post construction BREEAM certificate demonstrating that these buildings meet the levels detailed in condition 7 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2019 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

Development limits for Phase 1

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) (or any order revoking and re-enacting that Order with or without modification), the restaurant hereby permitted shall be used only for purposes within Classes A4 and A5 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 to ensure that they are suitable for this location and that there is no conflict with uses in the town centre in accordance with policies DM7 and SHUA2 of the Local Plan Part 2.

22 Works shall be carried out in full accordance with the specific recommendations, and mitigation measures set out in the Ecological Assessment 7724.EcoAss.vf1 by Ecology Solutions.

Reason: in order to secure adequate ecological mitigation and enhancement, including with regards to protected species.

Conditions relating to Phase 2

23 Prior to development starting on any part of Phase 2 details of the siting, design and external appearance of the buildings, the means of access, and the landscaping of Phase 2 shall be submitted to and approved in writing by the local planning authority. The Phase 2 details shall be carried out as approved and fully implemented before the buildings are occupied. The plans and particulars shall specify the following detailed proposals:

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- (a) The layout, siting and scale of all buildings and structures, including the finished levels (above ordnance datum) of both the ground floor of proposed buildings and the surrounding ground levels
- (b) The design and external appearance of all buildings and structures, including details of the colour and texture of external wall and roof materials to be used, with samples and / or sample panels of the materials to be made available and / or constructed on site for inspection by the local planning authority where directed.
- (c) Details of the width, alignment, gradient and type of construction proposed for the roads and footways including all the relevant cross-section and longitudinal sections showing the existing and proposed levels together with the details of street lighting and the method of disposing of surface water, and details of a programme for the making up of the roads and footways.
- (d) Hard and soft landscape details including:
- Existing and proposed finished levels or contours
 - Means of enclosure
 - Hardsurfacing materials
 - Minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc)
 - Proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines, intruder alarm boxes, communal aerials, including lines, manholes, supports etc).

Soft landscape details shall include the following as relevant:

- Planting plans
- Written specification (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- Retained areas of grassland, hedgerow and trees
- Implementation programme

Reason: To ensure satisfactory comprehensive development and proper planning of the area.

24 The Phase 2 application shall be accompanied by:

- a) A detailed surface water and foul drainage scheme.
- b) A construction management plan.
- c) BREEAM pre-assessment reports for the light industrial buildings, gym and nursery.
- d) An updated ecological assessment, if necessary.
- e) An updated arboricultural impact assessment, if necessary.
- f) An employment and skills strategy.
- g) Details of the provision being made for the storage of waste.

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Reason: To ensure satisfactory comprehensive development and proper planning of the area.

25 Construction of the nursery and gym shall not commence until full details of the light industrial units are approved by the local planning authority. The occupation or use of the nursery and gym shall not commence until construction of the light industrial buildings has commenced up to slab level.

Reason: To ensure that the B1 element of the proposals is delivered in accordance with policy SHUA2 of the Local Plan Part 2.

26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) (or any order revoking and re-enacting that Order with or without modification), the light industrial units and nursery hereby permitted in outline shall be used only for purposes within Classes B1 and D1 respectively 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). The gym hereby permitted shall only be used as a gym.

Reason: To restrict the use of the premises to ensure that they are suitable for this location and that there is no conflict with uses in the town centre in accordance with policies DM7 and SHUA2 of the Local Plan Part 2.

27 A minimum of 20 cycle parking spaces shall be provided for the gym hereby approved.

Reason: To support the use of sustainable transport in accordance with policy DM18 of the LPP2.

28 The provision of parking for cars and other vehicles and cycles for the light industrial units and nursery hereby approved shall comply with parking standards as a minimum.

Reason: To support the use of sustainable transport in accordance with policy DM18 of the LPP2.

Informatives:

01. 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. This permission is granted for the following reasons:

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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:

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1)

- DS1 – Development Strategy and Principles
- SH1 – Development Strategy for South Hampshire Urban Areas
- CP8 – Economic Growth and Diversification
- CP10 – Transport
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP14 – Effective Uses of Land
- CP16 – Biodiversity
- CP17 – Flood Risk
- CP20 - Heritage and Landscape Character
- CP21 – Infrastructure and Community Benefit

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

- SHUA2 – Solent 1 Employment Allocation
- DM1 – Location of New Development
- 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
- DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Guidance:

- High Quality Places March 2015

National Planning Policy Guidance/Statements:

- Revised National Planning Policy Framework (2019)

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.

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06. 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>

07. 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

08. It is important to ensure that the long-term maintenance and responsibility for Sustainable Drainage Systems is agreed between the local planning authority and the applicant before planning permission is granted. This should involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies. For SuDS systems to be adopted by Hampshire Highways it is recommended that you visit the website at:

<https://www.hants.gov.uk/transport/developers/constructionstandards> for guidance on which drainage features would be suitable for adoption. Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme

09. A formal application for connection to the public sewerage system is required in order to service this development. Please read the Southern Water New Connections Services Charging Arrangements documents via the following link

<https://beta.southernwater.co.uk/infrastructure-charges>.

10. A formal application for connection to the water supply is required in order to service this development. For further advice, please contact Southern Water,

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Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

11. The applicant is advised that further information and guidance for developers on the details that need to be included within a Construction Management Plan can be found on the Winchester City Council website:

<http://www.winchester.gov.uk/environment/pollution/construction-sites/>

Appendix 1

Please return this form to the Case Officer:

From:	Whiteley Town Council
Case No	19/00852/OUT
Location	Land to the north of Forum Buildings Solent Business Park Parkway Whiteley
Proposal	Hybrid planning application with part submitted in outline and part in detail for a mixed use development. The outline component is for a maximum of 8,946 sqm (GEA) floor space comprising light industrial (B1c), a day nursery (D1) a gym (D2) and associated parking and landscaping. The detailed component comprises a hotel (C1), a flexible restaurant/bar (A3/A4), a multi storey car park (sui generis), new access routes and junction works, new servicing routes, associated parking, landscaping and associated development

Objection and request application is heard by the Planning Committee if officer minded to approve.

The history of the site, the extant permission for office buildings and its current allocation in Local Plan part 1 under Policy SHUA2 are acknowledged.

The proposals do not comply with Policy SHUA2 which requires a range of high technology and business uses falling within Class B1 (Business). The proposals for a gym, nursery, hotel and industrial units do not comply with the policy and will provide low paid jobs in an area with high levels of employment.

The scale and mass of the hotel and car park will not make a positive contribution towards the overall appearance of the business park or the main entrance into Whiteley. Policy SHUA2 requires buildings to be under 14m and this should be closely adhered to.

Areas that are not part of the site have been included within the proposed 30% parkland provision which is contrary to the policy requirement that it should be in addition to the structural landscaping which adjoins the site.

There are objections to the timing of the scheme ahead of planned highways improvements works.

Hampshire County Council as the Highways authority acknowledges that the surrounding roads are operating beyond capacity. This is confirmed in a recent

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project appraisal for the M27 J9 and Parkway South Roundabout Scheme dated
15.1.19

Extract <http://democracy.hants.gov.uk/documents/s28395/Report.pdf>

2.2 The M27 is a critical, strategic corridor in southern Hampshire which helps to keep the economy moving but at peak times queues caused by congestion at Junction 9 can extend back several kilometres along the motorway. The Scheme is essential to improve traffic flow and journey times in the area. Both junctions currently experience severe congestion in the morning and evening peak periods and traffic queuing on the motorway off-slips at Junction 9 causes operational and safety issues on the M27 mainline. Furthermore, in the morning peak hour, congestion at Parkway South Roundabout can regularly block back to Junction 9, while in the evening peak hour congestion at Junction 9 frequently blocks back to Parkway South Roundabout.

2.3 The congestion is judged to be detrimentally impacting business attraction and retention in two large regionally significant adjacent Business Parks, Solent and Segensworth, located to the north and south of Junction 9 respectively.

Until the planned highways improvements have been completed no further development should be permitted. The historic nature of the planning allocations in Whiteley do not take account of the much higher intensity use of office space today compared to when the developments were planned in the 70s and 80s.

This together with the redevelopment of Whiteley Shopping Centre has created a far higher demand on the highways network than originally envisaged. The parking provision is correspondingly inadequate.

The extreme congestion in and around peak times is unacceptable to our residents.

Comments on the Vail Williams report:

9.16 Gymnasium - Whiteley is already well served with gyms: Solent Hotel, Meadowside Leisure Centre, Holiday Inn and Skylark Meadows.

9.21 Hotel and Diner - 9.26 The Solent Hotel provides both a high end and budget offer following a major extension to create Solent Lodge

9.27 There are currently five, not three nurseries serving Whiteley: Two Futurepaths, Buttercups, Whiteley Pre-School and Kiddicaru

9.34 Additional car parking provision is welcomed but it needs to address the current undersupply as well as the need for provision for any new development.

The Town Council has recently undertaken a survey of parking requirements across the business parks, the responses from 48 businesses suggest there is currently a shortfall of 279 spaces weekdays 9am-5pm and this needs to be addressed before any further development takes place. The survey results have been shared with WCC.

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Comments on the Bellamy Roberts Transport Assessment

3.13 Buses – The bus stops in Parkway are not served by First Bus as it is unable to guarantee a route through due to parked cars.

A two hourly bus service is inadequate for a major business park and the timescales for improvements for North Whiteley can not be relied upon to serve this development.

4.4 The gym parking requirement should not be reduced, experience of the gym at Meadowside suggests local people drive to access the services.

4.5 There is no evidence that staff are likely to come from the local area and that they will not drive. Whiteley has low unemployment this can be seen by the shopping centre employees from outside Whiteley who have to park in the business park at the weekends.

Adequate parking for staff should be provided to avoid the need for nursery users to use other less safe parking areas for dropping off/picking up.

5.0 Traffic generation.

Calculations that claim a reduction in traffic generation are not convincing. The site currently generates no traffic. Any development will therefore increase traffic. According to table 11 the proposals will create an additional 1790 traffic movements on an already congested network. The claims made in para 5.17 are rejected.

Paragraphs 5.10-5.11 suggest there will be shared trips but there is no evidence this will be the case

7.7 There is no evidence that Parkway North will operate with reserves of capacity.

Comments on the Bellamy Roberts Travel Plan

Para 3.1 See comment to para 3.13 of the Bellamy Roberts Transport Assessment above.

Travel plans across the business parks and shopping centre have failed to produce any positive outcomes due to the lack of alternative means of travel, unwillingness to car share and shift work patterns. Efforts by the shopping centre to provide a shuttle bus were unsuccessful with very few users.

The travel plan system needs a review as there is an extraordinary amount of funding being spent without any effective outcomes. An example being the HCC representative for the Shopping Centre travel plan travelling from Bristol to attend meetings.

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Signed: N Oliver, Town Clerk

Date 28.05.19

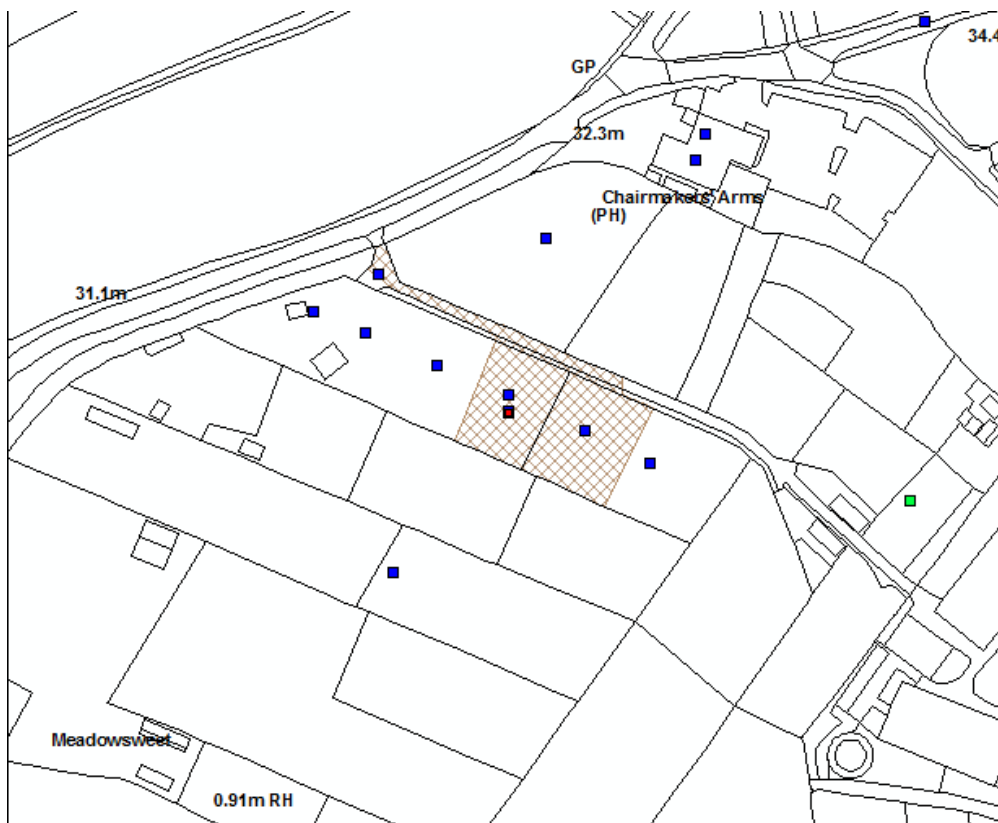
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Agenda Item 8

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/02469/FUL
Proposal Description: Creation of two Gypsy/Traveller Pitches comprising 1 Mobile Home, 1 Touring Caravan and 1 Dayroom for each pitch, and associated works. . Temporary permission until 2024
Address: Land Rear Of Chairmakers Arms Hipley Road Hambleton Hampshire
Parish, or Ward if within Winchester City: Denmead
Applicants Name: Messrs Connor & Wall
Case Officer: Rose Lister
Date Valid: 8 November 2019
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q0N2M5BPHOS00>



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General Comments

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

Application is reported to Committee as the number of objections received contrary to the officer's recommendation.

Site Description

The site is located off Hipleys Road to the rear of the Charimakers Pub close to the small hamlet of Worlds End. There is a continuous row of housing along Forest Road within reasonably spacious plots, but residential development is otherwise sporadic. There are occasional rural buildings. The Chairmakers Pub is located 72m north of the site on the corner of Fareham Road with Forest Road. Otherwise the surrounding area is characterised by open countryside behind hedge and tree lined roads. This includes the approach to the sites where there are paddocks and expansive water meadows opposite the access track.

There are 8 plots on this site, Plots 1 and 2 are vacant, the other plots are occupied. There is a line of mature trees by the entrance that serve to screen the pitches from the road with additional hedge planting to the boundaries. There is a horse paddock to the north of the site creating a separation from the pub to the north. The surrounding area is distinctly rural with development limited to farm buildings, sporadic residential and the pub to the north.

Proposal

The proposal is retrospective, for the creation of 2 pitches to serve the Gypsy and Travelling community. Each pitch would comprise 1 mobile home, space for 1 touring caravan, a dayroom and associated works.

Relevant Planning History

13/00696/FUL - Proposed use of land to provide 8 plots for gypsy/traveller families a total of 8 mobile homes, 8 touring caravans and 8 day rooms on land at Forest Road – withdrawn

14/00180/FUL - Use of land to provide 8 no. plots for gypsy/traveller families, 8 no. mobile homes, 8 no. touring caravans and 8 no. day rooms – refused. Appeal dismissed. This application confirmed that 8 pitches on this site is not considered acceptable.

17/01862/FUL - 2 residential mobile homes and 2 touring caravans – pending consideration

17/01191/FUL - Provide 4 no. gypsy/traveller pitches – pending consideration

There is a recent enforcement appeal decision, (APP/L1765/C/18/3201565, App/L1765/C18/3201566, APP/L1765/C/18/3201567 and APP/L1765/C/18/3201570, 28th August 2019) regarding plots 3,4,7 and 8 that has concluded that the site at Tynefield in Whitley is not yet inhabitable and as such there is a current shortfall of Gypsy and Traveller sites until this becomes available. As such, though the site at the rear of the
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Chairmakers Arms is not considered acceptable in the long term, for a short period until Tynfield becomes available or other sites become allocated, this site will suffice.

Consultations

Environment Agency:

No comment received

WCC Service Lead for Environmental Services - Drainage:

No objection subject to condition 8 for details of the foul and surface water drainage

'The site is within Flood Zone 1 and is at very low risk of surface water flooding. The site is within Source Protection Zone 1, foul drainage that is not reliant on sewers must be approved by the Environment Agency.

Surface water drainage must prioritise infiltration tests which are required for sizing the soakaways appropriately.'

HCC Highways:

No objection to the application - 'Access to the application site is via a track from Fareham Road (C50), which is a classified road subject to the national speed limit.

The site access is of adequate geometry with satisfactory visibility. The Highway Authority considers that the 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.'

WCC Service Lead for Environmental Services - Landscape

Objection - It is considered that the circumstances have not changed from the previous appeal decision (APP/L1765/A/14/2224363).

WCC Service Lead for Built Environment - Strategic Planning:

The proposal is for a site which is outside any defined settlement and within the countryside, where planning policies would not normally allow for residential development. Provision is made to meet identified traveller needs which have been established until 2031 (Policy DM4) and sites have been permitted or allocated in the Traveller Development Plan Document to meet the identified need. The DPD has been subject to examination and is now adopted, and the Council can show that the need for gypsy accommodation established in policy DM4 has been met and demonstrate a 5-year supply of sites for gypsies and travellers.

The Traveller DPD includes a criteria-based policy (TR6) which could be applied in cases such as this and may enable the application to be approved if its criteria are met. The information provided on accommodation needs, lack of alternative sites and personal circumstances should be taken into account in determining whether the proposal meets the requirements of policy TR6 and the criteria of policies CP5 and TR7.

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Representations:

Parish Council Objection for the following reasons:

- Recent appeal granted for only 4 pitches
- Unsuitable location
- Contrary to Neighbourhood plan
- Impact on countryside
- Contrary to policy MTRA4

10 letters received from 9 households objecting to the application for the following material planning reasons:

- The proposal is contrary to policy
- There are other sites available
- Access is unacceptable
- The site is over developed
- Lack of drainage
- Light pollution
- Impact on/loss of trees
- Impact of ecology
- Loss of tranquillity
- Impact on the countryside

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

- The occupiers do not shut the access gate that prevents horses escaping onto the road.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

MTRA4 – Development in the Countryside

CP5 – Sites for Gypsies, Travellers and Travelling Showpeople

CP16 - Biodiversity

CP20 – Heritage and Landscape Character

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM1 – Location of New Development

DM4 – Gypsies, Travellers and Travelling Showpersons

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM18 – Access and Parking

DM23 – Rural Character

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Winchester District: Gypsy, Traveller and Travelling Showpeople DPD

Denmead Neighbourhood Plan

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Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise

The application site is located outside of a settlement boundary where countryside policies apply.

Policy MTRA4 sets out the criteria for acceptable development within the countryside. The application is not for business or tourism uses, nor is the application for an agricultural/forestry worker. It is therefore considered that the application would not meet this policy.

The site is not allocated as a gypsy/traveller site and lies outside the settlement boundaries. Policy TR6 of the Traveller DPD states that use for traveller accommodation will only be permitted in certain circumstances.

The site must be for occupation by persons identified as gypsies or travellers within the PPTS who can demonstrate a personal or cultural need to be located in the area and there is a lack of other suitable accommodation. In addition, sites must be in sustainable locations well related to existing communities, as defined by Policy CP5 of the Winchester District Local Plan Part 1 2013 and comply with the requirements of Policy TR7 which contains provisions applicable to all sites. The scheme will be assessed against these policies in subsequent sections of this report.

The recent appeal for 4 plots demonstrated that there was a lack of alternative suitable accommodation to serve the identified need. Tynefield Caravan Park in Whiteley is allocated for 18 pitches; however a recent appeal decision has found that the site is unfit for habitation. It has also been demonstrated that the applicants have been on the waiting list for these sites for some time. The adopted DPD is considered to be valid until 2031 and while some of the allocations may not currently be available it is considered that they will be coming forward within the DPD period and therefore the 5 year Housing Land Supply for Gypsy, Traveller and Travelling Show people is considered to be intact.

However in the short term it is accepted that there is a lack of suitable alternative sites to serve the identified need.

The Denmead Neighbourhood Plan 2011-2031 was made on 1 April 2015. Annex B proposes that the development of two new sites for travellers accommodation will be supported provided that (i) each comprises a self-contained site of no more than 2 or 3 pitches or plots (ii) they are located in close proximity to the settled traveller community in Old Mill Lane and adjacent to the existing traveller site at West Fork in Bunns Lane, and (iii) they will accord with all relevant policies in the Neighbourhood Plan and Winchester Development Plan. Criterion (ii) is not fulfilled, but at the recent appeal the Council confirmed that the Annex is not adopted as policy forming the development plan for the area. It is a statement of intentions rather than a policy requirement. Moreover, it is not consistent with the more recently adopted Traveller DPD. In relation to the recent appeal

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the Inspector gave the Denmead Neighbourhood Plan little weight in relation to the development. A similar approach is therefore taken in relation to the current scheme.

However notwithstanding the above, it is acknowledged that at present there is a current lack of other suitable sites for the applicants.

Impact on character of area and neighbouring property

In terms of detail assessment of the suitability of the site policy CP5 of the LPP1 sets out the criteria for suitable sites for pitches, these include:

- Sites being well related to existing settlements
- Avoiding over-concentration of sites in any one location
- Accessible by local services
- Avoid harmful impacts on nearby residential properties
- Be capable of accommodating acceptable facilities

In addition policy TR7 of the DPD provides a set of general requirements in relation to access and parking; environmental and general criteria for developments to satisfy.

It has been established through the recent appeal decision that the site is located near enough to the small settled community of Worlds End to become integrated without being too close to cause tension with other residents.

Whilst the Inspector concluded that the development results in reliance upon the car to access services and facilities and so there is an issue of accessibility but in the context of a rural area it is not a major issue as it would only generate short journeys. The Inspector accepted that the site was not unsustainable taking into account environmental, economic and social issues including the social benefits to individuals in having a settled base. The Inspector concluded that the site was a suitable location for gypsy and traveller families and where peaceful and integrated co-existence with the local community is capable of being achieved.

Whilst the additional 2 plots will increase the presence of development in this area it is not considered to lead to an overconcentration of sites in this location relative to the size and scale of the existing settled community of Worlds End.

Based upon the findings of the most recent appeal it is considered that the site is in a suitable location for such development and in principle is in a location that would support additional plots from an accessibility and sustainability perspective.

Policy TR7 of the DPD requires that play areas for children are required. One of the applicants has a young family and at the site visit a dedicated play area was evident. The other applicant has grown children and therefore a dedicated space is not considered necessary at this stage. However there is sufficient space on the plot for a dedicated area to be provided should other users require.

In terms of impact on the character and appearance of the surrounding area the Inspector critically assessed the visual impact of the development and found significant harm to the surrounding area could be demonstrated. Whilst he accepted that some of this harm could be mitigated to some degree by the imposition of conditions regarding layout of the sites

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and limit the presence of commercial vehicles his conclusion was that the development would be harmful. However the Inspector ultimately judged that a temporary permission was acceptable as it resulted in lesser harm given the short term need to find suitable sites.

The current proposals will add to the harm to the surrounding countryside but the effect is reduced somewhat as the sites are sandwiched between the permitted schemes reducing the overall intrusive nature of the development.

The decision to recommend planning permission should be weighed up against the other material planning considerations for the development.

Highways

Policy TR7 of the DPD also relates to access and parking. There is an existing access to the site which serves paddocks and other gypsy/traveller pitches that have been granted temporary permission under the above stated recent appeal decisions. The site has suitable geometry and visibility splays to safely access Forest Road. Each pitch would have suitable parking and turning areas for vehicles that would allow for vehicles to enter and leave the site in a forward gear. Acceptable visibility splays are achievable. It is therefore considered that the proposal would not have an unacceptable adverse impact on other highways users.

Personal circumstances

The applicants have put their names down to be housed in other allocated sites but have been on the waiting list for some time. The appeal of August 2019 relating to other plots on the same site has concluded that in the short term there is no other place for the families to go as the larger allocation site at Tynefield is currently unavailable.

In the event of planning permission for a generic gypsy and traveller site not being justified then the personal circumstances of the appellants and their families are a material consideration to be taken into account if considering a temporary or personal planning permission.

Each applicant has a family with children in local education. The application site would enable consistent access to medical and educational services. Should the children need to leave their schools then this will cause them major disruption and potentially interfere with their education. This carries substantial weight.

It has been established that the best interests of children are a primary consideration with no other consideration being inherently more important.

As regards Article 1 of the First Protocol and Article 8 of the European Convention on Human Rights the appellants and their children are currently living on the application site, albeit without the benefit of planning permission. Refusal of the application would result in their removal from the sites and interference with their home and private and family life. These are qualified rights and it is necessary to consider whether it would be proportionate to refuse planning permission in all the circumstances of each case.

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PLANNING COMMITTEE

There is the wider public interest in addressing the harm to the character and appearance of the area and in securing compliance with the development plan.

Other Matters

Nitrates - Excess levels of nitrates can damage freshwaters and the marine environment by a process known as 'eutrophication', promoting excessive growth of algae that chokes other life and leading to harmful effects on the SPA. Development within Winchester District that would result in over night accommodation or excessive amounts of nitrates, such as dwellings, require nitrate calculations to demonstrate a deficit, neutral or surplus of nitrates being generated on site. Developments that would result in a surplus of nitrates therefore require mitigation to prevent harm to the SPAs in the district. As such a Grampian condition in line with the Winchester City Council Position Statement on Nitrate Neutral Development has been agreed to secure appropriate mitigation.

Equality - Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The applicants share a protected characteristic and the Local Planning Authority has taken into account the need to avoid discrimination.

Conclusion

The Inspector for the recent enforcement appeal decision states that currently, while there are sites within the DPD that have yet to come forward, there is a current lack of available plots to meet the current need. Therefore, sites are required on a temporary basis, to accommodate the relevant demographic, until such a time as the other sites within the DPD come forward or other sites are allocated through the Local Plan review.

The enforcement appeal of last year has identified that the use of the site is harmful to the surrounding area and therefore as a permanent use of the site the proposal is not considered acceptable.

The proposal would see an additional 2 pitches on the site for a temporary period. The location of the plots, between the 4 already granted a temporary permission (until 2024), is considered preferable to other areas of the site as a whole. The insular intensification of use within the site is considered preferable than an external expansion resulting in increased harm over a larger area. Therefore, while the proposal would result in harm to the area indicating that a permanent use of the site for this purpose is not considered acceptable, the temporary nature of the use in the location proposed is considered acceptable.

The previous enforcement appeal decision has highlighted the sustainability of the site and links of the applicants to the area giving additional weight to this. The applicants in this case have similar circumstances where their children go to the local schools/nurseries and they rely on the local health care services for ongoing treatment.

These links and the requirement for temporary sites that has been identified, can be

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given significant weight in this case.

Therefore, while it is acknowledged that the proposal would result in harm to the area, the circumstances of the applicants and the demonstrated need for sites until the full potential of the DPD has been realised, or further acceptable sites have been allocated within the Local Plan review, indicates that a temporary use of the site can be supported.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

1. The use hereby permitted shall be for a limited period being the period until 28th August 2024. At the end of this period the use hereby permitted shall cease, all caravans, buildings, structures, materials and equipment brought on to, or erected on the land, or works undertaken to it in connection with the use shall be removed, and the land restored to its condition before the development took place.

Reason: A residential use has been approved on land defined as countryside in the local plan (which would not normally be permitted) in order to meet an identified need for traveller accommodation which cannot yet be met in an alternative area.

2. The site shall not be occupied by any persons other than gypsies and travellers as defined in Planning Policy for Traveller Sites, August 2015, (or any subsequent definition that supersedes that document).

Reason: A residential use has been approved on land defined as countryside in the local plan (where such uses would normally be resisted) in order to meet an identified need for traveller accommodation which cannot be met in an alternative way.

3. No more than two caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Site Act 1968 as amended, shall be stationed on the site at any one time, of which no more than one shall be a static caravan, and no further caravans shall be placed at any time anywhere within the site.

Reason: In the interests of the amenities of the area.

4. No external lighting shall be put in place or operated on the site at any time other than has been previously submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area.

5. No vehicle over 3.5 tonnes shall be stationed parked or stored on the site.

Reason: In the interests of the amenities of the area.

6. No commercial activity shall take place on the land including the storage of materials.

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Reason: In the interests of the amenities of the area.

7. Within 1 year of the date of this permission the following must be submitted to an approved in writing by the Local Planning Authority:
 - a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
 - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
 - c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

8. Within 3 months of the date of this decision detailed proposals for the disposal of foul and surface water shall be submitted to the Local Planning Authority for approval. The approved details shall be fully implemented within 6 months.

Reason: To ensure satisfactory provision of foul and 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; CP5, CP13.

Local Plan Part 2: DM4, DM15, DM16, DM17, DM23.

Traveller DPD (2019) - TR6 and TR7.

High Quality Places SPD (2015)

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3. 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 applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

Appendix 1

Closing Date for Comments: 13 December 2019

Location: Land Rear of Chairmakers Arms, Hipley Road, Hambledon.
Proposal: Creation of two Gypsy / Traveller Pitches comprising 1 Mobile Home, 1 Touring Caravan and 1 Dayroom for each pitch and associated works.

Comments:

The Parish Council of Denmead, by a unanimous decision, raised a STRONG OBJECTION to this proposal and cited the following reasons:

- Further to the Appeal which had been lodged with the Planning Inspectorate by the Appellants against Enforcement Notices served by WCC, the decision notice had recently been issued to grant temporary permission to allow only 4 plots to remain on the site.
- This land is an unsuitable location for the material change of use and would harm the character of the countryside and would significantly detract from the tranquillity of the locality by reason of noise, general activity, including numerous vehicle movements and lighting. Winchester District Local Plan Part 2, Policy DM14 states under Local Distinctiveness that "developments should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area."
- As stated in the 'made' Denmead Neighbourhood Plan 2011-2031, provision of travellers' accommodation should comprise of sites in close proximity to existing settled travelling communities, as this provides the best opportunity for integration of newcomers to Denmead.
- Damage would be caused to the rural nature of the area, which is valued for its ancient character. The area would thereby become suburbanised and harm the characteristic. The Parish Council of Denmead therefore seeks to protect and enhance this area, which is within the Ancient Forest of Bere, and to "Retain the rural character of the local minor roads... resist development which further fragments the restoration of the former Forest of Bere..." as stated in WCC's Landscape Character Assessment.
- The proposal is unsustainable and for which there has been no essential agricultural need identified, as set out in Policy MTRA4 of the Winchester District Local Plan Part 1.

Request for application to be considered by Committee:

(NB: Case Officer to forward form to Head of Planning Control if this section completed)

Should there be a conflict of views between Members comments and the Case Officer, Members would wish for this matter to go to the Development Control Committee.

Signed: *L J Merriman ~ Deputy Clerk*

Date: 12.12.2019

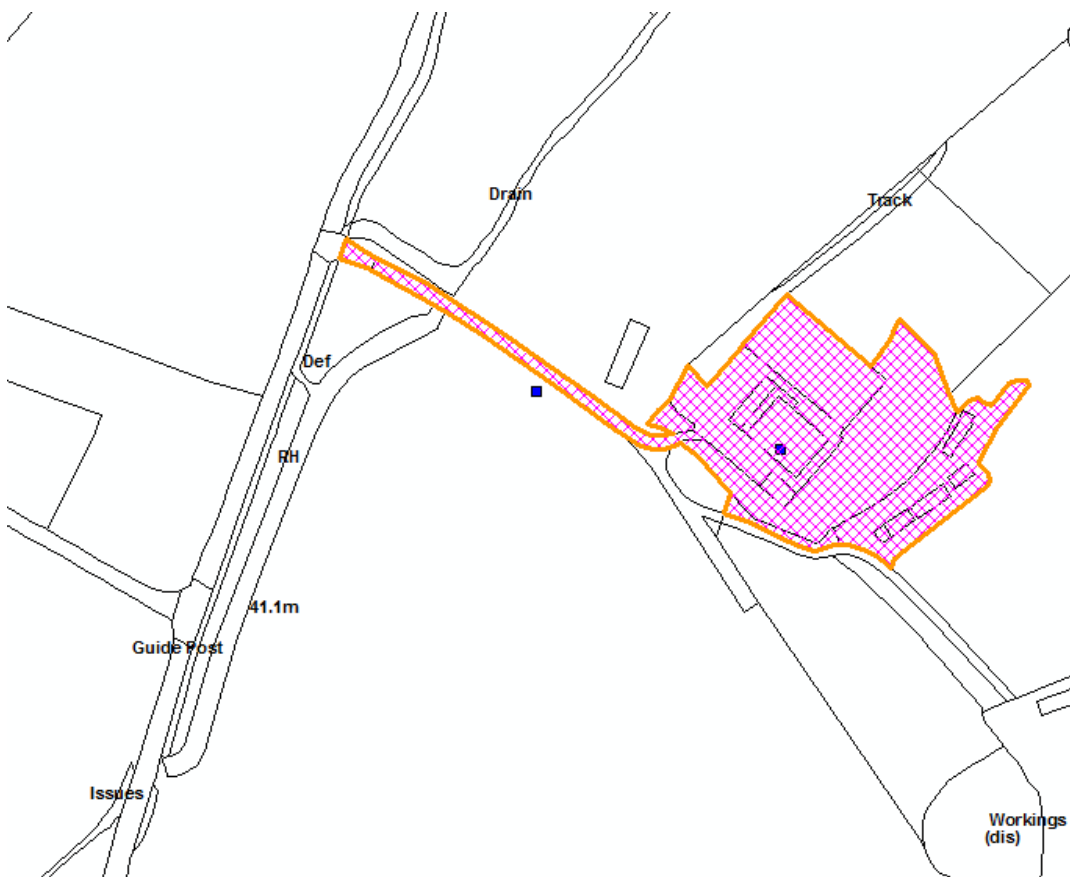
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Agenda Item 9

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/00423/FUL
Proposal Description: Mobile home to house an equine manager/worker for a temporary period of 3 years.
Address: Bittles Farm Fareham Road Hambledon PO7 4QW
Parish, or Ward if within Winchester City: Denmead
Applicants Name: Mrs Amanda Mitchell
Case Officer: Rose Lister
Date Valid: 26 February 2019
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PNIUMIBPLBR00>



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PLANNING COMMITTEE

General Comments

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

Site Description

The application site is situated up a track leading off Fareham Road, approximately 1 mile from Hambledon and 2.5 miles from Denmead. The whole site is approximately 10 Hectares with approximately 0.4 hectares within the red line. The site is currently paddocks with some agricultural buildings that have been converted for equestrian use. The site has been split into two with the bottom yard having: 12 loose boxes with stores, a stable with 3 boxes, a fodder store and a manege. The top yard is situated up the hill with two ranges, hay stores and shelters. The site is located on a hill with the majority of the existing buildings being hidden within a dip in the landscape. There are mature trees and hedges that run along one side of the track and post and rail fencing being used to separate the paddocks.

Proposal

The proposal is for a temporary dwelling for a period of 3 years to house an equestrian worker.

Relevant Planning History

03/00623/FUL - Erection of stable, hay store and storage facilities (RETROSPECTIVE) – permitted

07/00883/FUL - New feed store barn – permitted

07/02243/FUL - Erection of stables and hay store (RETROSPECTIVE) – permitted

07/02423/FUL - Feed store barn (Amendment to planning permission W11833/13) – permitted

96/03741/OLD - (AMENDED DESCRIPTION) Conversion of agricultural buildings to a three bedroom dwelling - permitted

Consultations

WCC Service Lead for Environmental Services - Engineers: Drainage:

The Drainage engineer stated that the site was situated within flood zone 1 and therefore at low risk of flooding. He requested that details of the drainage be secured by condition 8.

WCC Service Lead for Environmental Services - Landscape

The Landscape Architect stated that the site was situated within the Hambledon Downs landscape character area and recommended condition 3 for the dwelling to be finished in dark colours that would make the building visually recede into the surroundings.

Independent Agricultural Consultant on behalf of WCC - Bruton Knowles: No objection
Bruton Knowles assessed the proposal against policy DM10 and DM11 of Local Plan 2. Condition 7 has been recommended to address the tenancy issue.

Case No: 19/00423/FUL

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HCC Highways:

The highways engineers stated that 'This application does not include any significant highway implications' no objections were raised and no conditions were recommended.

Representations:

Denmead Parish Council

The Parish Council objected to the application as they consider that the application is contrary to policies MTRA2, MTRA4 and DM10.

1 letter of objection has been received for the following material planning reasons:

- No formal application for the site to become equestrian
- Suspect someone already living on site
- No guarantee that the temporary permission would not become a permanent one.

12 letters of support received including one from the applicant referring to the following material planning reasons.

- The added security of onsite staff would reduce the risk of theft
- Having a worker on site would contribute to the welfare of the horses

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA2, MTRA4, DS1, CP8

Winchester Local Plan Part 2 – Development Management and Site allocations
DM1, DM10, DM11, DM15, DM16, DM17,

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Denmead Neighbourhood Plan

Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The application site is situated within the countryside where development is considered under MTRA4.

Policy MTRA 4 allows for development within the countryside provided there is an operation need such as agriculture, forestry and horticulture.

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Policy DM12 states that equestrian operations require a countryside location and housing associated with equestrian facilities should be considered under policy DM11.

Policy DM11 requires that prior to applying for a permanent dwelling a temporary dwelling must first be applied for to allow for the business to prove that there is a requirement for onsite staff and that the business can support this staff.

Applications in reference to this element of the policy must satisfy a number of criteria to be considered acceptable. The Council's Agricultural Consultant (Bruton Knowles) has assessed the application in regard to these criteria.

- a. clear evidence of a firm intention and ability to develop the enterprise concerned;*

The applicant and their family have been running an equestrian DIY livery from this site for approximately 20 years. It is understood that the applicant is intending to develop the business into a part full livery and part DIY with further investment into repairs to the existing and acquiring additional facilities on the site to facilitate the expansion of the business. There are currently 23 liveryes on the site with the majority of these being long standing, upwards of 10 years. There is also a waiting list for the business services. There is currently an informal tenancy agreed for the site however the applicant has indicated that a more formal agreement can be entered into with the land owner. It is considered that this could lead to issues when looking to develop the site; however it is considered that a condition to tie the proposed temporary dwelling to the business would satisfy these concerns.

- b. clear evidence that the proposed enterprise has been planned on a sound financial basis;*

Financial projections have been submitted with the understanding that from 2020 the business would run 14 DIY and 8 full liveryes, with a forecast for 2022 of 12 DIY and 10 full liveryes. It is considered that these figures would allow for a single full time equestrian worker and a part time worker with sufficient resources left to reinvest into the business. While it is expected that the rent for the land would increase in a fixed manner the lack of formal agreement does highlight concerns it is considered that these can be addressed through a condition.

- c. a functional need for the accommodation, which cannot be satisfied by existing nearby accommodation.*

Evidence of the need for a worker has been submitted in the form of a diary of incidents. It is understood that at present of the 23 liveryes on the site 6 are 'assisted' due to ongoing medical issues with the horses that require extra care. This has resulted in overnight stays when required for monitoring and supervision to ensure the health and safety of the horses.

It has been noted that the current lack of on site staff have impacted the business with potential clients not stabling there because of the lack of overnight supervision on site. It is considered that there is a functional need for a residential presence on site or near by. A search of local properties has been undertaken with none available within a 0.5 mile radius to rent or buy.

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Based upon the above advice it is therefore considered that the proposal has satisfied the requirements of the policy and 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.

Design, Impact on character of area and neighbouring property

The proposal is for a temporary mobile home measuring approximately 6m by 12m and 3m in height. The proposed temporary dwelling would be situated adjacent to existing stables towards the top of the hill that Bittles Farm occupies. Other locations within the site that are more screened have been discussed with the applicant and discounted due to other constraints. It is considered that the proposed temporary dwelling would be visible in the streetscene however; it would be read within the context of the farm and equestrian buildings on site and is considered an acceptable addition in this respect.

Landscape/Trees

The site is located in the countryside within the Hambledon Downs. The proposed dwelling would be situated near to top of the hill adjacent to the existing buildings. Concerns have been raised in regard to the colour of the materials given the prominent location of the proposed building. Therefore a condition has been recommended to ensure that the finishing materials are within the darker spectrum and would recede into the landscape.

There is a band of trees to the north of the proposed location of the temporary dwelling. It is not considered that the proposal would have an impact on these trees due to the distances involved.

Highways/Parking

The site is accessed by an existing track off of Fareham Road. It is considered that this is acceptable and there is ample space to park 2 cars on the site in line with the standards within the Residential Parking SPD. The Highways officer raised no objections.

Other Matters

Concerns have been raised in regard to the formal designation of the site for equestrian uses. It is considered that the equestrian enterprise has been on site for some time. While the formal use of the site for equestrian uses has not received planning permission it is considered that as the business has been in place for a significant number of years and it would not be expedient to pursue enforcement action for this, at this time.

Further concerns have been raised in regard to people already living on the site. Bittles farm is a working farm with a other permissions in place for separate enterprises that may allow for overnight accommodation especially during animal birthing seasons. These elements are not part of this application and therefore have not been considered.

Concerns have also been raised in regard to the guarantee any temporary permission would not become permanent. It is considered that policy DM11 and DM12 allow for such development, as has been considered above, provided it can be demonstrated that there is an operational need. This would be assessed at a later time in greater detail following a planning application for this purpose.

Nitrates - Excess levels of nitrates can damage freshwaters and the marine

Case No: 19/00423/FUL

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environment by a process known as 'eutrophication', promoting excessive growth of algae that chokes other life and leading to harmful effects on the SPA. Development within Winchester District that would result in over night accommodation or excessive amounts of nitrates, such as dwellings, require nitrate calculations to demonstrate a deficit, neutral or surplus of nitrates being generated on site. Developments that would result in a surplus of nitrates therefore require mitigation to prevent harm to the SPAs in the district. As such a Grampian condition in line with the Winchester City Council Position Statement on Nitrate Neutral Development has been agreed to secure appropriate mitigation prior to occupation.

Equality - Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

1. The permission hereby granted shall be for a limited period expiring on 18th March 2023 on or before which date the mobile home shall be removed from and the land restored to its former condition in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

Reason: The development is of a type not considered suitable for permanent retention and to provide a period of time to assess the viability of the equestrian enterprise.

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

'Proposed elevations' submitted to the Local Planning Authority 01.03.2019

'Location and Block Plan' submitted to the Local Planning Authority 01.03.2019

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

3. Before the mobile home is brought on site, details of the design, size, and external colouring shall be approved in writing by the LPA.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

4. The development hereby permitted shall NOT BE OCCUPIED until:

- A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development,

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and this calculation has been submitted to and approved in writing by the
Local Planning Authority

- A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

5. The occupation of the mobile home shall be limited to a person solely or mainly working, or last working, in the locality in equestrian, agriculture or in forestry or a widow or widower of such a person, and to any resident dependants.

Reason: The site is in an area where new dwellings are not normally permitted except where there is an overriding need in the interests of agriculture, forestry or equestrian.

6. The use hereby permitted shall be carried on only by employees of Bittles Farm operating the equestrian use of the site.

Reason: To enable the Local Planning Authority to control the use of the land and the particular personal circumstances that the planning permission is founded upon.

7. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before occupation.

Reason: To ensure satisfactory provision of foul and 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, MTRA4, CP11, CP13, CP16,
Local Plan Part 2: DM1, DM2, DM11, DM12, DM15, DM16, DM17, DM23.

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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.

Appendix 1

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Please return this form to the Case Officer: Rose Lister

From: Denmead Parish Council

Case No: 19/00423/FUL

Closing Date for Comments: 8 April 2019

Location: Bittles Farm, Fareham Road, Hambledon, PO7 4QW

Proposal: Mobile home to house an equine manager / worker for a temporary period of 3 years.

Comments:

The Parish Council of Denmead, by a unanimous decision, raised a STRONG OBJECTION to this proposal and cited the following reasons:

- The proposal is contrary to Policies MTRA2 and 4 of WCC's Local Plan Part 1, which states "... should not cause harm to the character and landscape of the area..."
- No sustainable business plan had been submitted with the planning application and the proposal does not comply with the Development Plan, as stated within Local Plan Part 1, Policies DM11 (Equestrian Development) and DM12 (Leisure and Recreation in the Countryside).
- This development does not have an operational need for agriculture, horticulture or forestry dwellings, as stated in Policy MTRA 4 and Policy DM10 Local Plan Part 2.

Request for application to be considered by Committee:

(NB: Case Officer to forward form to Head of Planning Control if this section completed)

Should there be a conflict of views between Members' comments and the Case Officer, Members would wish for this matter to go to the Development Control Committee.

Signed: *L J Merriman ~ Deputy Clerk*

Date: 26.09.2019

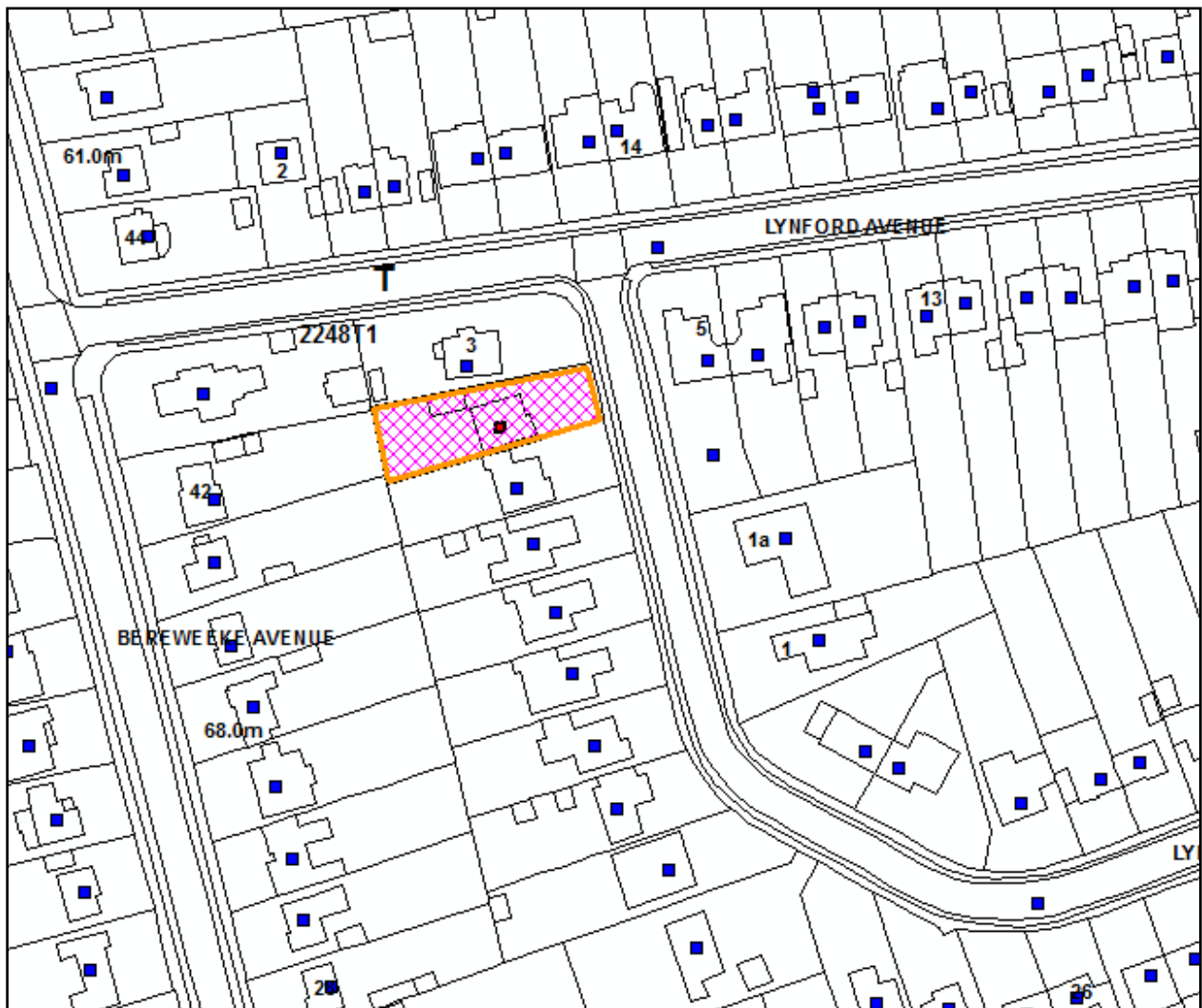
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WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/02806/HOU
Proposal Description: New side, rear and roof extensions for first floor accommodation and integrated garage. Demolish existing garage.
Address: 2 Lynford Way (Merrymead) Winchester SO22 6BW
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Ms Kate King
Case Officer: Marge Ballinger
Date Valid: 17 December 2019
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2NALCBPIBX00>

Pre Application Advice: No



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PLANNING COMMITTEE

General Comments

Application is reported to Committee as 16 objections were received from 13 different households contrary to the officers recommendation. Although original plans were amended, there was no retraction of any original objections.

Site Description

No.2 Lynford Way, also known as Merrymead, is a 3-bedroom bungalow of red brick and concrete tiled roof that sits central within a 470m² approximate site along the west side of the road. Lynford Way and the surrounding land decreases in slope from south to north, and the other 6 dwellings nearby along the west side the road are linear and similar in design, size and scale. A feature of the dwellings is the similar but staggered hipped rooflines and red brick/tiled roof materials.

No.2 has a detached garage along the north side boundary back from the rear elevation. The front garden has been converted previously to include parking with the drive continuing to the side garage. The garage is 6m x 2.9m with a height of 2.6m at eaves and up to 3.45m at ridge (approximately) and is built of brick and pitched/hipped roof that is similar to the dwelling. Due to the sharp slope of the land, views of the existing garage can be seen from Lynford Avenue as it runs perpendicular to Lynford Way.

The rear garden has a 1.8m high wooden fence to the side boundaries and a small greenhouse set behind the garage. Both the greenhouse and the garage are to be removed with this proposal. The land to the garden is also sloped, but has a levelled patio out from the rear of the dwelling for seating. Due to the land slope, the side fence north comes slightly higher to the eaves of the bungalow north on the corner (no.3 Lynford Avenue). A similar situation is the fence height south to no.4 is slightly higher with the eaves of no.2.

Proposal

The proposed alterations to the dwelling is to convert the loft space by raising the roof 80cm and extending the first floor out to the side, and a partial-width first floor extension to the rear, with a further rear ground floor extension, after the removal of the existing garage and greenhouse. Rooflights are proposed to the front and side elevations and an additional dormer window will be located in the rear roof elevation.

The proposal will allow for rooms to ground floor to be reconfigured to retain 2 bedrooms and include a bathroom, utility room, an open-planned living area, and an integral garage. The rooms created to the second floor will include 2 additional bedrooms with an ensuite and a shower room.

The original drawings were amended in order for the proposal to maintain the area's character of dwellings of a similar roof design of a ground floor front projection and symmetrically-balanced roof slopes (slopes altering from 35° to 45° approximately).

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Relevant Planning History

None

Consultations

None

Representations:

City of Winchester Trust: neutral stand to the original drawings but acknowledged the substantial extensions and noted that the 'character of the locality is changing'. Comments after the amended plans still remained neutral but concluded that the 'proposal would change the character of the property and thus of the neighbourhood'.

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

- Proposal is out of scale to the property
- The alterations will change the uniform appearance of dwellings in the road as viewed from above and below Lynford Way; the existing visual gaps to adjacent dwellings will be lost.
- Proposal will result with a loss of natural light and privacy, and create an overbearing impact to adjacent no.3 Lynford Avenue (north).
- The raised roof and extensions will change the outlook and impact natural light to other houses along the adjacent road Lynford Avenue.
- Side windows to kitchen and dining room will overlook no.3; proposal overall with extensions will overlook other nearby gardens to Lynford Avenue and Berewecke Avenue.
- The roof height is higher than the original.
- Front skylights are out of character to the area and will set a precedent.
- Fenestration and door asymmetry is unattractive.
- The proposed garage is not defined within the floor plan as such, so potential to create a 5th bedroom under permitted development.
- Parking has not been indicated on drawings as parking is already an issue within the road/area; garage too small for parking.
- The amount of glazing will impact residential amenities.
- Development will set a precedent for other similar development.

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

- Excavation details are not included to build to the boundary; building to the boundary is likely to cause damage to no.3 Lynford Avenue.
- Access to the no.3 Lynford Avenue land would not be granted to complete the extension toward the boundary so therefore the proposal could not be implemented.
- No structural details have been provided; instances of builds in nearby Berewecke Avenue have caused structural challenges.

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- The plan does not include where the boiler is to be positioned, nor does it include fire regulation details.
- Development does not include any energy saving details such as rain water collection or solar panels.
- The deeds to these dwellings do not permit loft extensions; historically other roof extensions have been refused in this area.
- No details provided to demonstrate the site would be not be used for commercial purposes; potential for an HMO property.
- Extending this dwelling will remove affordable housing from our local stock.
- Construction work hours should be restricted if permitted.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy – DS1

Winchester Local Plan Part 2 – DM16, DM17, DM18

National Planning Policy Guidance/Statements
National Planning Policy Framework (2018)

Supplementary Local Planning Guidance
High Quality Places
Parking SPD

Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal is within the settlement boundary of Winchester (St Barnabas Ward) where the principle of extending an existing dwelling is acceptable providing it complies with the relevant policies.

Design/layout

The NPPF Section 12, in part, states planning decisions should ensure that proposals function well (for the long term) and are sympathetic to the local character. The original proposal was amended to remove a larger front roof extension and a 2-storey side extension as the overall size, scale and design was considered out of keeping with the character of the area.

Front (East) Elevation:

The amended drawings include an increase to the overall roof height by 80cm to allow sufficient head height for rooms in the roof, and retains similar roof hips/pitch angles as the original, but with an element of a flat roof at apex. The side is to be extended further toward the boundary to no.3 Lynford Avenue while maintaining the original eaves height. The raised roof into the original roofspace along the front will allow for a master bedroom. Although the rooflights along the front appear to add clutter the appearance and the windows are not aligned with the lower ground windows and doors, the impact

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is not considered detrimental.

Side (North) Elevations:

The existing dwelling has a side drive revealing a 2.7m gap from the boundary fence that widens slightly in width further back before it reaches the existing garage built 1m away from the boundary. The proposal from this elevation has two distinctive built forms: This part of the side elevation proposes to build toward the boundary fully, and up to the existing eaves height (2.7m) with a hipped roof to ridge for approximately 5.8m from the front for a landing area at first floor and an integral garage at ground floor.

The second form of the side extension moves the proposed extension away from the boundary by 1.5m to create a rear projection for its 2 floors (along 6m approximately) before stepping down to a ground floor extension. This part of the extension will allow a 2nd first floor bedroom in the roof space. The depth of side elevation will finish within the existing garage footprint, but retaining a slightly wider gap from the fence as compared to the existing garage.

Rear (West) Elevation:

The existing rear elevation and garden has 2 rear door exists out toward a block-paved patio that fills a levelled gap out toward the side of the garage. The proposal includes a staggered rear elevation, and maintains the existing eaves line and similar symmetrical roof angles as the existing dwelling. The rear ground floor extension toward the boundary is flat-roofed and has glazed doors to its rear and inside elevations, while the rear French door remains in the existing rear bedroom. A dormer is proposed in the main part of the dwelling's roof that sits central to the roof pitch, below the ridgeline, and clipped along its side to blend in with the original slope. The dormer will allow space for the ensuite proposed to the master bedroom. The materials proposed are hanging tile to first floor and dormer walls to blend in with the original roof tiles proposed.

Side (South) Elevation:

The existing dwelling's south side elevation will have a varied outlook, but other than the roof raising and two rooflights, the majority of the development is toward the north side and the rear elevations.

Careful consideration was given to the original dwelling's eaves lines and roof pitches and development in the primary front elevation was minimised to ensure that the original dwelling is discernible within the alterations. The proposal introduces second-floor living into the existing dominant roof, but the use of similar materials and design features ensures that the extensions blend within the site and its surroundings, and therefore complies with Site Design Criteria within Policies DS1 and DM16.

Impact on character of area and neighbouring property

It was necessary to consider the area's character in relation to not just the front elevation, but also with the side and rear elevations – the slopped street and land level changes put glimpses of the side and rear elevations in view from the adjacent street perpendicular (Lynford Avenue). The dwellings along this part of Lynford Way incrementally step down from one another, so some form of overlooking and overshadowing exist with the ground level changes decreasing from south to north. The original drawings included light render to rear and side elevations, but materials were altered to be more in-keeping with the

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area's character, and the materials changed to brick and hanging tile.

Further consideration was given to the impact on the neighbouring property north of the proposal, no.3 Lynford Avenue. No.3 is a corner property with a primary elevation facing Lynford Avenue and its rear elevation is built approximately 1m from the boundary line to no.2, leaving a passageway. No.3's side elevation is almost linear compared to no.2, but at a slight angle, so the passageway at the boundary does widen slightly as you move into the larger of the two side gardens. Two existing windows are along the rear elevation, but sit beneath the boundary fence due to the ground level changes (a drop of 50cm approximately). These two rear windows serve a bedroom (front) and a lounge (rear) and are secondary to the other windows and doors into these rooms. The side (west) garden is the primary outdoor living space to no.3 with an external patio area and a small rear conservatory.

The side extension proposed for the integral garage does enclose the existing gap, but this part of the proposal is toward the physical dwelling structure of no.3 and away from usable outdoor living space. There is an existing reduction of light to the 2 rear windows and side window due to the land slope and the positioning of the buildings, so the proposal does not impact the primary windows (front and back) to these rooms. The eaves line of the existing dwelling will be maintained throughout the proposal with the side extension's roof pitching on 3 sides up and away from the boundary toward no.3.

The proposal includes removing the garage built near the boundary of no.3 to replace it with another structure slightly further away from the boundary at an angle. The existing eaves line will be maintained with a sharp pitch of roof up and away from the boundary. The remaining 3m of extension will be flat-roofed, reducing the impact perception as per the existing garage structure. Therefore, the side and rear extension proposed does not prove to have a detrimental overbearing impact to the external primary living space of no.3 (rear patio/garden). The side windows of the extension, however, may have a potential for the loss of privacy to the primary garden space to no.3 so a condition will be added to amend the side windows to obscure-glazed, top-opening only (condition 02).

The rear extension and dormer at first floor level are positioned central to the rear elevation and property of no.2. Although there may be views into neighbouring rear gardens, the rooms in the roof are considered secondary, so this is not considered a harmful relationship to justify a refusal based upon loss of privacy.

To conclude the impact to neighbouring dwellings (bearing in mind the unique existing relationships due to the ground level changes) is not considered to cause an adverse impact in regards to overbearing or overshadowing to justify a refusal, and conditions can control the potential overlooking impact (conditions 02 and 03).

Parking standards for the proposed dwelling will require 3 off-road parking spaces, inclusive of the garage use. Therefore, the proposal will not impact parking, but the garage can be conditioned to be used for vehicles/storage only, therefore complying with DM18 Access and Parking (condition 04).

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Landscape/Trees

There are no significant or protected trees that would be affected by this proposal. There is a row of tall trees along the rear boundary (west) but these are outside the site ownership for consideration within a neighbouring garden. The proposal is over 8m away from the boundary and trees.

Other Matters

There was concern raised with the amount of glazing proposed overall. However, it is not considered that the windows and doors or rooflights will have an unacceptable impact in regards to light spill or reflection as this is within a residential road within a built-up area. The windows identified as potentially harmful (overlooking) along the north elevation can be controlled by a condition (condition 02-03).

Another concern was raised that the proposal will set a development precedent. However, each application is assessed on an individual basis, so the proposal would not guarantee approvals to future proposals nearby. Although there have been previous loft conversions refused among nearby properties, these decisions were determined 1990s-early 2000s, so the current proposal is assessed on the existing policies.

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Recommendation

Application Permitted 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 two windows in the dining room and kitchen of the rear extension along the north elevation hereby approved shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, and remain top-opening only. The window glazing and opening restrictions shall thereafter be retained in this condition at all times, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the amenity and privacy of the adjoining residential property.

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3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order, with or without modification), no windows, other than those expressly authorised by this permission shall, at any time, be constructed on the north elevations, nor in the roof slope.

Reason: To protect the amenity and privacy of the adjoining residential property.

4. The garage hereby approved shall not be used for any other primary purpose other than for the parking of cars.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

5. The development hereby approved shall be constructed in accordance with the following plans received: -

- Location & Block Plan, drawing BMA256/PL01A submitted 16.12.2019)
- Proposed Ground Floor Plan, drawing BMA256/PL05C (amended 11.02.2020)
- Proposed First Floor & Roof Plan, drawing BMA256/PL06C (amended 11.02.2020)
- Proposed Elevations, drawing BMA256/PL07C (amended 11.02.2020)

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

6. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building. This includes matching brick to ground floor level; garage door/window frames/fascia to ground floor front elevation in white UPVC; matching interlocking tile and dark grey hanging tile to first floor level and roof; frames/fascia to windows in the roof to be dark grey UPVC or aluminium; windows and doors to ground level rear extension to be either white or dark grey UPVC or aluminium.

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

Informatives:

1. In accordance with paragraph 38 of the NPPF (Feb 2019), 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

Local Plan Part 2: DM1, DM15, DM16, DM17, DM18

High Quality Places SPD

Parking SPD

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3. This permission is granted for the following reasons:

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

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

6. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practise

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

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

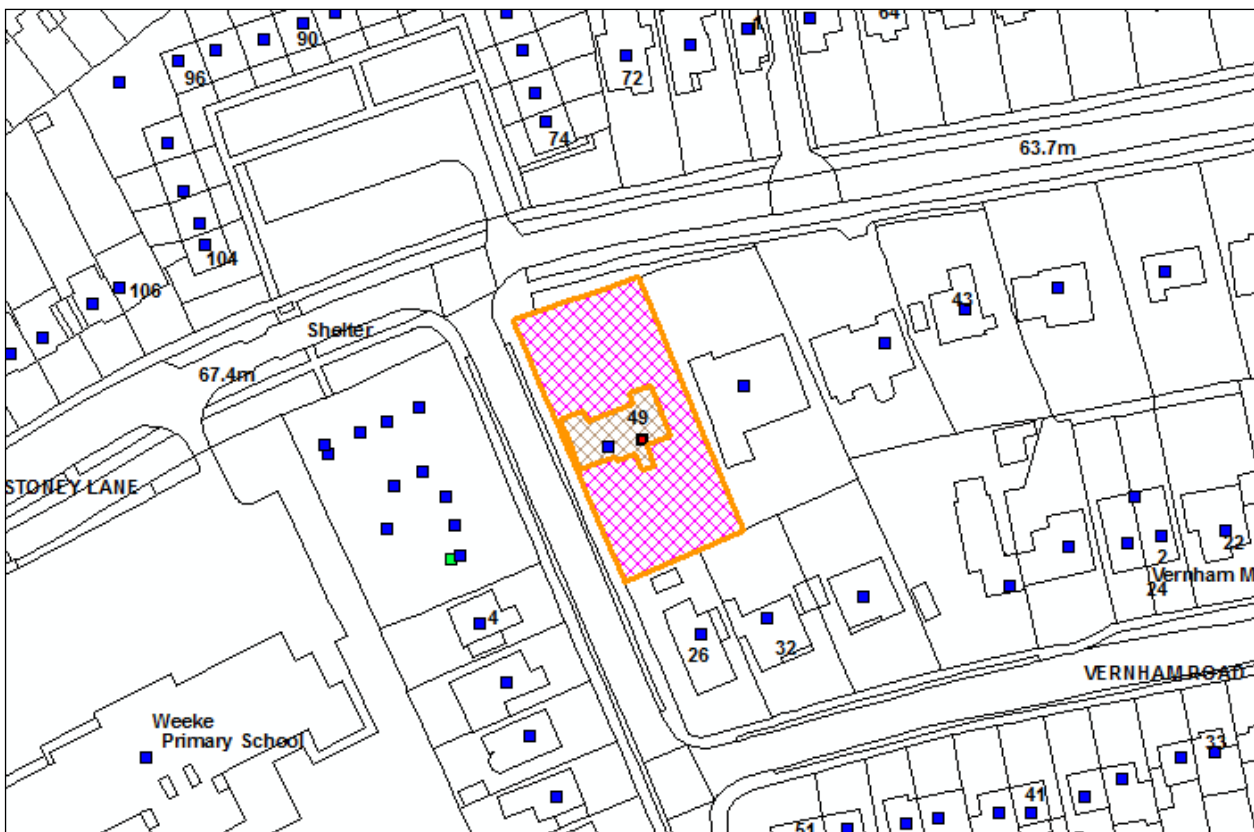
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Case No: 19/01874/FUL
Proposal Description: Demolition of existing dwelling followed by erection of 4 no. 2-bed terraced chalet bungalows and 2 no. 3-bed semi-detached chalet bungalows including associated infrastructure.
Address: 49 Stoney Lane Winchester SO22 6DP
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr Doswell
Case Officer: Liz Marsden
Date Valid: 30 August 2019
Recommendation: Application Refused

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PX251MBPGJJ00>

Pre Application Advice: No



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General Comments

Application is reported to Committee due to the number of comments received contrary to officer recommendation.

Resubmission following refusal of application 19/00645/FUL. Primary alterations:

- Reduction in number of dwellings from 8 to 6
- Change in design of dwellings
- Alterations to layout

Site Description

The site, which has an area of 0.126 ha, is located at the junction of Stoney Lane and St Matthews Road. Whilst the area as a whole is residential, St Matthews Road marks a change in the pattern of development, where the overall character of Stoney Lane alters from predominantly single storey and chalet style bungalows in good-sized plots to the east to a more mixed form and type of development, including a school, single storey terraces, semi detached houses and, further west, commercial properties and a church. The location of the site is such that it would be viewed primarily in the context of the more spacious eastern section.

The existing building on the site is a bungalow, with roof lights to accommodation in the roof space. The adjacent dwellings on Stoney Lane (no.47) and to the south of the site on St Matthews Road are also single storey, with dormers serving the upper floor accommodation which is contained entirely within the pitched roofs.

The site is level and at present screened from the immediate neighbour to the south (5 St Matthew Road), by a close boarded fence, following the removal of tall evergreen trees that formerly extended along the southern boundary, though these have been retained along the southern part of the eastern boundary with No.47 Stoney Lane.

To the west of the site on the opposite corner of St Matthews Road has recently been developed, following a planning consent in 2017, with 8 dwellings comprising a terrace of 2 storey properties along the Stoney Lane frontage and a pair of semi-detached and a single detached chalet style bungalow facing St Matthews Road. These buildings, although more modern in design and materials than neighbouring properties in the area, reflect features of existing development, including the use of pitched roofs and dormers.

Proposal

The application seeks to demolish the existing bungalow and replace it with 6 residential units in the form of a terrace of 4 x 2 bed chalet-style bungalows, with rooms in the roof, fronting Stoney Lane and a pair of semi-detached, 3 bed properties facing St Matthew Road. Two new accesses are to be created, one from Stoney Lane and one from St Matthew Road. The existing access to the property is to be closed up.

The terraced houses are to be staggered, with the eastern pair set back around 11.6m from the front boundary of the site, but will be nearly 8m further forward than the existing dwelling. The western pair is set a further 4m towards Stoney Lane, approximately 9m from the front boundary. The overall width of the terrace is similar to that of the existing

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bungalow on the site, though has been set back about 1.4m from the western boundary so is closer to the eastern boundary, leaving a gap of 2.2m. At its nearest point it will be 4.8m from the neighbouring dwelling to the east (No.47 Stoney Lane). Two car parking spaces are provided for each dwelling on the frontage of the property. No bin or bike storage units are referred to on the plans though the site plan does appear to show sheds in the rear garden of the properties.

The semi-detached properties are set around 6m back from the edge of St Matthews Road and have rear gardens of between 8m and 9m in length. The properties share a new vehicular access which is to be created from St Matthews Road and car parking is to be provided to the front of the properties.

Relevant Planning History

12/02518/FUL – demolition of existing garage and erection of two storey side extension – permitted 23.01.2013

17/01172/FUL – detached three bedroom chalet bungalow – permitted 16.06.2018

19/00645/FUL - Proposed development of 4 x 3 bed semi-detached houses and 4 x 2 bed apartments following removal of existing dwelling – refused by the planning committee on 20.06.19 for the following reasons:

1. The proposed development would, by reason of its size, scale, layout, unsympathetic design and prominent location, result in a dense and intrusive form of development which would be out of keeping with the pattern and spatial characteristics of the surrounding area to the significant detriment of its character and appearance. The proposal would therefore be contrary to Policies WT1 and CP13 of Winchester District Local Plan Part 1 - Joint Core Strategy, policies DM15, DM16 and DM17 of Winchester District Local Plan Part 2 - Development Management and site Allocations and Supplementary Planning Document - High Quality Places.
2. The proposed dwellings would, by reason both of their close proximity to each other within the development site and to the neighbouring property to the east, have an overbearing and unacceptable impact on the amenities of the occupants of those properties through loss of outlook and privacy through potential overlooking. The proposal would therefore be contrary to policy DM17 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations.
3. The proposal would result in the loss of trees, covered by a Tree Preservation Order to the detriment of the visual amenity of the surrounding area. It would therefore be contrary to policies CP20 of Winchester District Local Plan Part 1 and DM23 of Winchester District local Plan Part 2.
4. The proposed development is contrary to Policy CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to protect and enhance biodiversity across the District by failing to fully assess the impacts to protected species and habitats or demonstrate that the potential impacts can be successfully mitigated.

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Consultations

WCC Service Lead for the Built Environment - Historic Environment - Urban Design:

Objection - The revised plans do address some of the concerns raised on the previous application but don't address the fundamental issue of overdevelopment and is out of character with the pattern and spatial characteristics of the surrounding area. Considered that further amendments are need to reduce development on the site in order to provide:

- Sufficient private and useable amenity space
- Plot sizes more in keeping with those of the surrounding area
- Reduce requirement for car parking
- Enable the retention of the existing protected trees

WCC Service Lead for Environmental Services - Landscape and Open Space - Trees:

Objection – The proposal will result in the removal of two trees protected by a Tree Preservation Order and will have a detrimental impact on the character and appearance of the area contrary to policy DM15 of Local Plan Part 2.

- Inconsistencies between the management recommendations of the tree survey and those in the arboricultural impact assessment.
- Trees have been grade as being C1 category, though T1 fits more with the criteria of a B1 tree.
- Contradiction in the advice provided by the arboricultural consultant in terms of the potential life span of the trees.

WCC Service Lead for Environmental Services - Landscape and Open Space - Ecology:

No objection subject to conditions. - The building to be demolished has some bat roost potential, though no bats have been seen in the surveys that have been carried out. Additional information will be required to demonstrate nitrate neutrality.

WCC Service Lead for Environmental Services - Drainage: No objection subject to conditions (comments on previous application).

Site in Flood Zone 1 and at very low risk of flooding.

HCC Highways:

No objection subject to conditions. The increase in vehicle movements can be safely accommodated and will not result in detrimental impact on the operation or safety of the local highway network. Notwithstanding this there are some issues that should be addressed.

- A footway link/pedestrian crossing point will need to be maintained at the junction; which should be indicated on the Site Plan drawing
- The amount of parking appears to be in accordance with the residential parking standards and the spaces meet the minimum dimensions, the arrangement is constrained by landscaping. Manoeuvring aisles should extend a minimum of 1m beyond spaces and the aisle should be a minimum of 6.8m where there is a hedge opposite. Hedges should be offset at least 0.5m from the sides of spaces.

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- The Technical Note suggests that cycle parking/storage is to be accommodated in rear garden sheds, which do not appear large enough for the purpose.

Southern Water:

(comments on previous application). No drainage strategy proposals received and these should be made the subject of a condition, if proposal approved. Applicant advised to discuss further with Southern Water.

Representations:

City of Winchester Trust: Amended scheme is an improvement of the previous application but considered essential that the nature of the neighbourhood should be preserved by respecting the proposed tree and hedge screening.

23 letters, from 19 households, received objecting to the application for the following material planning reasons:

- Despite the reduction in number of houses the proposed development is still unsuitable for the site
- Out of keeping with the character of the area
- Overdevelopment of this prominent site.
- Contrary to policy
- increase in traffic in an already concentrated area
- proximity to school could lead to increased danger to children from cars, particularly given the new accesses.
- The description of the properties as 'chalet bungalows' is inaccurate due to the level of accommodation provided at first floor level.
- Loss of trees, recently protected by a TPO, which enhance and soften the street scene as well providing ecological habitat.
- Increase in cars using the Stoney Lane access will cause problems for pedestrians
- Traffic impact assessment carried out on a Sunday morning which is not a true reflection of the normal weekday traffic flows
- No provision of visitor parking which will result in pressure on on-road spaces
- Awkward tandem parking on site
- No provision of bike or bin storage facilities
- Overlooking and loss of amenity to adjacent properties.
- Design bland and characterless
- No need for additional houses when existing recently built properties are not being occupied or sold
- Adverse impact on ecology and detriment to the locally valuable wildlife corridor running along the rear of properties in this part of Stoney Lane
- Trees that are proposed
- Inaccuracies in the supporting statements and plans
- The recent development on the other side of the road does not justify a further development that is out of character with the surrounding area.
- Previous proposals along Stoney Lane have not been allowed to go forward of the building line.
- The development can be distinguished from More Place
- Nitrate issues ignored

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16 letters, from 14 households and a planning consultant, of support received raising material planning reasons:

- Good location for new housing as close to local services and efficient use of land
- Higher density development is acceptable in an urban location and will reduce requirement for houses in the countryside
- Will improve the relationship between the buildings and the public realm, to define street lines and enhance the character and identity of the place;
- provide natural surveillance of the public realm to improve safety and encourage walking;
- enhance legibility within this location to improve wayfinding;
- The reduction in numbers results in a more open and sympathetic form of development which responds well to the character of the area.
- The stepping back of two of the Stoney Lane frontage houses means that the scheme effectively turns the corner.
- Design of the dwellings in keeping with the surrounding properties
- landscape and design compliments the surrounding properties and the recent development on opposite corner of St Matthews Road
- site is similar in size to the More Place development
- Will not result in overlooking of neighbours
- good sized garden compared to other new build sites
- need for more 2 and 3 bed units
- Affordable homes for people who want to stay in the local area.
- Developers have taken note of previous comments and tried to come up with a scheme that works for neighbours
- The proposal is not the replacement of a single dwelling with 6 as the existing property is already sub-divided and there is permission for a further dwelling on the site.
- The new accesses are preferable to the intensified use of the existing access on the corner
- Good mix of housing which will help first time buyers
- The trees are not worthy of retention as the silver birches are nearing the end of their life expectancy

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

- Some of the letters of support are from people who live outside the community
- Number of recently erected properties in the area that have not been sold despite length of time on the market

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA1, CP2, CP3, CP11, CP13, CP14, CP16, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations
WIN1, DM1, DM15, DM16, DM17, DM18, DM24

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National Planning Policy Guidance/Statements:

National Planning Policy Framework

National Design Guide

Supplementary Planning Guidance

High Quality Place SPD 2015

Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the proposal site is located within the main settlement boundary of Winchester and therefore there is a presumption in favour of additional housing development, subject to an assessment with other policies of the Local Plan.

Policy CP2 of the Local Plan Part 1 (LPP1) considers housing mix and requires that there should be a majority of 2 and 3 bedroom dwellings, unless local circumstances indicate an alternative approach should be taken. In this case, four out of the 6 units have 2 bedrooms and the remaining 2 houses have 3 bedrooms. The proposal is therefore in accordance with this policy.

Policy CP14 of LPP1 states that the development potential of all sites should be maximised and that higher densities will be supported on sites which have good access to facilities and public transport. In this case there are public transport links close to the site and shops a short distance away to the west, and the western end of Stoney Lane. However, the primary determinant will be how well the design responds to the general character of the area and in this case it is not considered that the proposal would preserve or enhance the character or appearance of the surrounding area.

The development has a density of 47.6 dwellings per hectare.

Design/layout

Following the refusal of the previous application the number of units on the site has been reduced by 2 units, all in the form of 2 and three bedroom houses. Rather than two pairs of semi-detached houses fronting St Matthew Road, there is now a single pair and this has enabled the houses along the Stoney Lane frontage, now a short staggered terrace, to be set further back on site. Whilst these houses are still forward of the building line to the east of the site, their siting does provide a slight transition between the established pattern of development to the east and the new development to the west, where buildings have been set closer to the road. The overall width of building across this frontage is also marginally narrower than the existing bungalow on the site, enabling it to be drawn away from the side boundaries, but the gable end design of the houses will be more prominent in the streetscene than the fully hipped roof of the bungalow.

The proposed relationship between plots 1-4, on the Stoney Lane frontage, and plots 5 and 6 to the south is better than the previous application, where the buildings were separated by a narrow, 5m, gap which provided little usable amenity space and effectively ensured that the apartments could not benefit from their south facing aspect. However, whilst modest gardens are now provided to each property, those to plots 1

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and 2 are still only 8.5m in length, which would result in the first floor windows in plots 1 and 2 having a clear view of the amenity area of plot 5, with consequent loss of privacy to the occupants of the that property. Additionally, the side elevation of plot 5 would run along the full width of the rear garden boundary of plot 2 and the close proximity of this building, the which varies in height from 3.4m to 7m, located to the south, would be intrusive in the outlook from plot 2 and result in significant shading of the garden, reducing any benefit to be gained from a south facing garden.

The design of the buildings have been altered so that all properties have fully pitched roofs, albeit with large flat-roofed dormers, which is more characteristic of the existing dwellings in the vicinity. The simple design and use of materials is contemporary in appearance and reflects features of the recent development to the west of St Matthews Road.

Small sheds have been provided to all properties, though there are no elevational details, and their overall size (1.5 sq.m) does not appear large enough to store more than a single bicycle and in fact are labelled bin stores on the landscape plan. All parking provision is to be set along the frontage of the properties resulting in an extensive area of hard standing along both the Stoney Lane and St Matthews Road frontages, though some planting has been proposed to soften the boundaries.

Impact on character of area

The area in the vicinity of the site is predominantly residential, and is characterised by a variety of dwelling styles, though the majority of these along both Stoney Lane and St Matthews Road, being single storey or chalet style bungalows. The density of the existing development varies, with properties closer to together in longer plots to the north of Stoney Lane and more well spaced dwellings to the south. Between the junctions of Stoney Lane with St Matthews Road to the west and Berewecke Avenue to the east the buildings are all set well back from the road, with mature trees and hedgerows along their frontages, resulting in a spacious and attractive suburban setting and it is within this context that the development will be viewed.

It is recognised that the overall character of Stoney Lane alters to the west of St Matthews Road, where there is a greater variety in the form of development ranging from large plots, such as Weeke Primary School and Peter Symonds College set back from the road, or by terraced houses and buildings containing local services relating more closely to the road. More recently the development at More Place, immediately to the west of St Matthews Road provides a higher density of housing.

A letter of support from a consultant, on behalf of the applicant, refers to the National Design Guide and quotes that '*where the character of an existing place has limited or few positive qualities, then a new and positive character will enhance its identity*', and states that any new development should review the merits of the existing conditions and contribute positively to the area. However, this would appear to suggest that the site is in an area with limited positive qualities, ignoring the obvious merits of the spacious surroundings and the site's current contribution to this character. It is considered that the scale, mass and siting of the proposed buildings, would result in an over-developed and cramped appearance to the site that would not be a positive contribution to this area, nor accord with the aims of the National Design Guide.

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As set out in letters of support, the proposal provides an opportunity to make the best and most efficient use of the land and a higher density is not in itself a bad form of development. This is recognised in both local and national policy but, as set out in the NPPF, '*policies and decisions should support development that makes efficient use of land, taking into account the desirability of the maintaining an area's prevailing character and setting*', an aim that is reflected in policy CP14 of the Local Plan Part 1. Therefore any increase in density needs to be achieved in a way that enhances rather than detracts from the existing character of the area. This is not considered to be the case with the submitted proposal where the limited garden areas, domination of car parking and loss of protected trees all serve to reduce the quality of the visual amenities of the area to its detriment.

Reference is made by the consultant to the importance of natural surveillance and legibility which it is felt, by the applicant, to have been achieved by the proposed development. However, these principles of urban design, whilst desirable, need to be considered in the context of the specific site and applied accordingly rather than being imposed at the expense of the character and appearance of the surrounding area. With regard to surveillance, the houses fronting Stoney Lane, whilst set further forward on the site than currently the case, are still at a sufficient distance and behind car parking spaces and hedgerows, such that any surveillance would be limited. With regard to legibility and way finding, this would be more relevant in a larger new estate development than this well established and varied area, where existing significant features, such as the mature trees, already provide reference points by which to orientate.

Comparisons have been made with the recently developed More Place, to the west of St Matthews Road and it is acknowledged that the form and density of that development, which is higher than the current application (53 dph) is a departure from the more spacious properties, particularly to the east of the site, but it is considered that it can be clearly distinguished from this application. The site is larger than 49 Stoney Lane and has a greater depth, enabling a courtyard type of development with all car parking contained within the site and the gardens of the houses backing onto the road. Whilst at present, the roadside boundaries of the gardens are defined by close boarded fences, which are a relatively harsh feature, hedges have been planted along the outside which will mature and soften their impact. The application site, however, will result in both roadside frontages being given over to hard standing and parking, providing an uncharacteristic hard urban edge, particularly on the St Matthews Road frontage, which will not be sufficiently mitigated by the small areas of planting that are proposed.

One of the most significant impacts on the visual amenity of the area will be the loss of the trees on the Stoney Lane frontage, which is necessary to achieve the new access to the apartments. This is assessed in a subsequent section of this report.

Impact on neighbouring property

The primary impact of the proposal will be on the neighbouring property to the east, No. 47 Stoney Lane. The proposed buildings are at a sufficient distance to ensure that there is no direct loss of light through overshadowing. There would also be only limited loss of outlook from the windows serving primary living accommodation, due to the part of the property closest to the boundary with 49 being comprised of a garage and pool building. The nearest pair of the terraced houses (plots 1 and 2) have been set further back from the road than the previous scheme and whilst they may be visible from windows in the front elevation of No.47, this will be at an oblique angle and would not intrude significantly into the 45 degree angle that is generally considered to provide an acceptable level of

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outlook. It is not therefore considered that a reason for refusal could be sustained on the grounds of an unacceptable impact on the outlook of No.47.

The houses to the rear, in particular those on plots 5 and 6, would however result in a number of windows looking directly towards the rear garden of No. 47 at a distance of around 9m from the boundary, two of which are primary bedroom windows. Although the proposed 3m high pleached hedge would ensure that no views could be obtained from ground floor windows, screening from the upper floors is reliant on the retention of some overgrown evergreen trees. These have spread considerably to the extent that they cover much of the garden area of plot 6, leaving a further reduced amenity area to serve that house. With the close proximity of these trees to the kitchen/dining area and garden access, there is likely to be considerable pressure to remove these trees which, given their poor quality, would be difficult to resist, even if their retention was secured by means of a condition. The loss of the trees would result in views being obtained over much of the neighbour's rear garden, with subsequent loss of privacy and amenity.

The loss of the trees would also, to a more limited extent, enable views across the rear gardens of properties in Vernham Road to the south east of the site though these would be at a more oblique angle and the rear of the properties themselves are at a sufficient distance not to be unduly affected.

No.26 St Matthews Road is located to the south of the site and whilst the mature evergreens that formerly provided screening along the boundary has been removed this has had little direct impact on No. 26, which has a garage nearest to the boundary and will not be affected by loss of light or outlook. There are no windows proposed in the south elevation of plot 6 and therefore no loss of privacy due to overlooking.

Landscape/Trees

There are a number of existing trees around the boundary of the site, the most significant of which are along the frontage with Stoney Lane, where there are a group of three trees near the centre of the front boundary, comprising two silver birch and a crab apple and a further two silver birches at the north western corner. These trees together are of considerable value to the visual amenities of the area, being visible in longer views along Stoney Lane, particularly as this part of the road has fewer mature roadside trees than is characteristic of the road in general. Their importance has been recognised by them being made the subject of recent tree preservation orders (TPOs).

At the time of the previous application, the TPO was provisional, but was subsequently made permanent and this remains the current situation. An application for works to the trees, including the removal of trees T1 and T2, was refused and is currently at appeal. The proposal seeks to remove the group of trees in the centre of the boundary in order to provide a new access, necessary to ensure that cars could park and manoeuvre within the relatively narrow frontage area. It is considered that the loss of these trees would have a significant and unacceptable adverse impact on the visual amenities of the area to the detriment of its character and appearance.

It is acknowledged that replacement trees can be used to mitigate the loss of important trees though, given the maturity and the height of the specimens to be removed, it would take a significant number of years for a replacement to equal the contribution to the visual amenity of the area from the existing trees. Furthermore, given the constrained site area available, the majority of which is taken up with car parking, and

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the closer proximity of houses to the frontage of the property it is debatable as to whether trees of an appropriate size and species could be accommodated.

There were, previously, a line of overgrown evergreen trees (Lawson Cypress) on the southern part of the site, the majority of which have been removed. A group in the south eastern corner of the site have been retained, though whilst these do serve to provide screening to the adjacent properties, are not of sufficient quality or importance to the visual amenity of the area to be protected by a TPO.

Highways/Parking

Parking provision, in accordance with adopted standards, has been provided for all units, though as noted by the highways officer, the spaces are of the minimum size possible and are constrained by soft landscaping. Suggestions were made for revisions to be made to the layout to address concerns, including ensuring that manoeuvring aisles and parking spaces are of a suitable width to avoid hedgerows, and subject to these alterations and appropriate conditions, no objection is raised by the highway authority.

Whilst no alterations have been made during the course of the application, it is recognised that the site is located in a sustainable location, with shops and public transport in reasonably close proximity. In these circumstances and providing the car parking and manoeuvring space that is available could be provided at sizes that accord with accepted standards, it is not considered that a reason for refusal on the grounds of insufficient on-site parking could be sustained.

The new vehicular access to the site from St Matthews Road also results in the reduction and relocation of the on-street permit holder/short stay parking bays, though this is less significant than the previous proposal where there were to be two accesses from the road. This has been agreed with the Highway Authority by means of a variation to the Traffic Regulation Order and it is confirmed that there is no objection to this in terms of highway safety. At present there is a 40m stretch of road that is marked as parking bays and providing space for around 7 cars. The proposal would result in the loss of at least 2 of these existing spaces, but alternative spaces are shown to the north, closer to the junction with Stoney Lane and the submitted plans provide space for 6 cars.

Whilst these spaces may not be fully used throughout the day, their proximity to the school does result in them being occupied regularly at the start and finish of the school day. However, notwithstanding the likelihood that, due to the lack of on-site visitors spaces, there will be increased demand for the fewer remaining on-street spaces, it is not considered that the loss of amenity to residents in the vicinity of the site is such that a reason for refusal could be sustained on this basis.

Ecology

A preliminary ecological appraisal confirmed that there are bat roosts in the area and crevices under the roof tiles which provide bat roost potential. Bat emergence surveys were therefore carried out and no bats were recorded entering or emerging from the building. Subject to conditions, to ensure the implementation of the mitigation and enhancement provisions of the Ecological appraisal and details of external lighting, it is not considered that the impact of the proposal on the ecology of the site would justify a reason for refusal on this basis.

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However, the site is located in an area that is subject to additional controls over the discharge of nitrates and phosphorus (nutrients) due to its proximity to and impact on the Solent water environment, recognised as being internationally important for its wildlife. On the advice of Natural England it is therefore necessary for an assessment to be made for all new housing development and overnight accommodation that discharges waste water into the Solent (via the waste water treatment plants that feed into the main rivers across the Winchester District).

In relation to this proposal a Nitrate budget has been submitted, which demonstrates that the development would result in additional nitrogen being released into the sewerage system and appropriate mitigation will be required in order to achieve the neutrality that is required. In the absence of any possibility of providing any mitigation on the site, the applicants have completed the European Sites checklist, agreeing to a Grampian Condition, in accordance with the Councils position statement.

Other Matters

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Conclusion

The proposal would result in a cramped form of development which would be out of keeping with and detrimental to the character and appearance of the area

Recommendation

Refuse for the following reasons:

1. The proposed development would, by reason of its size, scale, layout and prominent location, result in a dense and intrusive form of development which would be out of keeping with the pattern and spatial characteristics of the surrounding area to the significant detriment of its character and appearance. The proposal would therefore be contrary to Policies WT1 and CP13 of Winchester District Local Plan Part 1 - Joint Core Strategy, policies DM15, DM16 and DM17 of Winchester District Local Plan Part 2 - Development Management and site Allocations and Supplementary Planning Document - High Quality Places.
2. The proposed dwellings would, by reason both of their close proximity to each other within the development site and to the neighbouring property to the east, have an overbearing and unacceptable impact on the amenities of the occupants of those properties through loss of outlook and privacy through potential overlooking. The proposal would therefore be contrary to policy DM17 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations.
3. The proposal would result in the loss of trees, covered by a Tree Preservation Order to the detriment of the visual amenity of the surrounding area. It would

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therefore be contrary to policies CP20 of Winchester District Local Plan Part 1 and DM23 of Winchester District local Plan Part 2.

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 no formal pre-application advice was sought.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
 - Local Plan Part 1 - Joint Core Strategy: MTRA1, CP2, CP3, CP11, CP13, CP14, CP16, CP20
 - Local Plan Part 2 - Development Management and Site Allocations: WIN1, DM1, DM15, DM16, DM17, DM18, DM24

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Case No: 19/02773/HOU
Proposal Description: Detached wooden shed with a pitched roof in rear garden (3.65m length x 2.15m width, 2.62m height; retrospective; amended proposal)
Address: 55 Milland Road Winchester SO23 0QA
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Mrs Jane Willing
Case Officer: Marge Ballinger
Date Valid: 13 December 2019
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2FVWZBPI9J00>

Pre Application Advice: N/A



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General Comments

The application is reported to Committee as there was an objection received that was considered material to the planning assessment, and the dwelling is owned by Winchester City Council.

Site Description

The application site is a mid-terraced 2-storey red-brick dwelling within land of approximately 116m² off of Milland Road, located north of the new leisure centre site and east of Bar End Road. The dwelling's rear garden is south-facing and is approximately 36m² and slopes gently down from north to south. The rear garden has wooden fences to all boundaries with gate access through the rear, and decking throughout. Behind the rear garden is a shared parking area serving the dwellings.

The houses along this terrace have existing brick outbuildings that have been built 1.2m wide and 2.9m in length with a dual-pitched roof over the boundary, providing outdoor storage to each of the four dwellings along this terrace. The brick structure to no.55 sits within the southeast rear corner of the garden.

Proposal

The proposal is for a retrospectively-built outbuilding that replaced a previous plastic shed (previously removed), and is sited within the southwest corner of the property. The outbuilding is wood, stained brick-red, and has been built to provide secured storage for two motorcycles and accessories. The outbuilding has been stained/painted black on the side facing adjacent neighbour no.53 (west). The outbuilding measures 3.65m in length, 2.15m width, and 2.62m height from ground level to the overall roof ridge. The roof is dual-pitched and the outbuilding has 2 high windows along the east elevation that face toward the applicant's rear garden structure.

The applicant had purchased the outbuilding that was built to be within permitted development height of 2.5m, but due to the existing plumbing/drain, the outbuilding had to be raised over the plumbing works which brings the height up to 2.62m over all (12cm difference) along the rear of the structure. The front of the structure has been lowered into the ground toward the front to reduce the visual impact within the sloping garden. A bat box has been placed outside face toward the apex to encourage wildlife.

Relevant Planning History

84/01262/OLD (W7966) - 20 two-bedroom houses, 18 one-bedroom flats and 6 two bedroom flats – permitted 28.03.1984. (Permitted development rights are still intact.)

Consultations

WCC Service Lead for Housing - Housing Officer – no objection

WCC Service Lead for Environmental Services - Drainage Engineer – no objection but recommended a condition for guttering (see condition 02).

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Representations:

City of Winchester Trust: No comment in support or objection, but considers the outbuilding is large for a small garden; suggested temporary permission for the lifetime of the outbuilding.

One letter received from adjacent no.53 objecting to the application for the following material planning reasons:

- The outbuilding is out of scale (too large) for the small garden.
- The black colour along the west elevation is oppressive to no.53
- The outbuilding is overbearing to no.53's rear garden, especially with the additional existing brick garden structures.

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

- The views from no.53's garden toward eastern/rear corner is obscured.
- Fences will need replacing where the outbuilding is located as it is currently bowed.
- Applicant had to access no.53's rear garden without permission for installation.

One letter of support received from adjacent no.57 raising the following material planning reasons:

- The outbuilding is lower than the existing brick outbuilding and does not interfere with wildlife or sunlight amenities.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
DS1

Winchester Local Plan Part 2
DM16, DM17

National Planning Policy Guidance/Statements:
National Planning Policy Framework Section 12

Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal is within the settlement boundary of Winchester where the principle of development is acceptable providing it complies with the relevant policies.

Design/layout

Policies DS1, DM16 and DM17 refer to site design principles requiring all development to respond favourably to the character, appearance and variety of the local environment in terms of design, scale and layout; and not to have an adverse impact on adjacent sites by reason of overlooking, overshadowing or overbearing.

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The rear garden to no.55 had a previous plastic storage structure within a similar location. Although the retrospective outbuilding is within a larger footprint as the previous, the use of stained wood visually compliments the surrounding red-brick structures. DM16 (site design criteria) requires that development should have a satisfactory visual appearance and use appropriate materials. As the outbuilding is not considered a primary structure, the use of wood as a lightweight material retains the building's purpose as a subordinate structure and does not compete with adjacent dwellings.

The outbuilding is used for secure storage of two motorcycles and other accessories. Although the outbuilding covers approximately 25% of the rear garden's footprint, the use is maintained for ancillary storage and can be accessed off of the rear doors that open onto the adjacent parking yard – hardstanding that is used primarily for parking. Based upon the above assessment, the building therefore complies with DM16 as the design and materials respond favourably to the area's character (within and surrounding the site), and the siting along the rear garden maintains its subservience to the existing dwellings.

Impact on character of area and neighbouring property

The outbuilding required planning permission due to its roof ridge measuring 12cm higher than what would be permitted (2.5m) under Class E (buildings incidental to the enjoyment of a dwellinghouse). The boundary to the adjacent dwelling west (no.55) is a wood fence up to 2m high approximately and the side of the outbuilding facing the rear garden to no.55 was painted black which is a recessive colour. The outbuilding is positioned approximately 3.4m away from the rear elevation to no.55, and the under-eaves height approximately 43cm above the fence, pitching up and away to 2.62m overall at ridge, it is not considered that the outbuilding has an overbearing impact to the adjacent garden to no.55.

The rear gardens of the row of terraced dwellings are south-facing toward an open parking yard beyond. There are no high hedges or planting beyond the rear fences or outbuildings to hinder natural light to the properties. The proposed outbuilding and its overall height are not considered to have a harmful impact to adjacent land in terms of overshadowing. Based upon the above assessment, the proposal complies with policy DM17 in regards to neighbouring amenities.

It is noted the outbuilding does not have guttering installed and is positioned close to the boundary fence. In order to provide adequate surface runoff that will not impact the adjacent property no.53, a condition will be added to install appropriate guttering within 2 months of the permission (see condition 02). This will ensure the application complies with DM17(iii), drainage.

Landscape/Trees

The retrospective outbuilding has replaced a previous small garden structure without further impact to existing landscape or trees.

Highways/Parking

The use of the outbuilding is for on-site, secured storage of two motorcycles and

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accessories. It is not considered that the storage will impact existing access and parking arrangements to the area as the shed is adjacent an existing parking yard.

Other Matters

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Recommendation

Permission, subject to the following condition(s):

Conditions

1. The development hereby approved shall be as built on site and shown in the following plans received:

- Location Plan received 13 Dec 2019
- Site Plan received 13 Dec 2019
- Block Plan received 13 Dec 2019

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

2. Details of the guttering to remove surface water from the roof of the permitted shed and discharge to either a water butt or soakaway shall be submitted to and approved by the Local Planning Authority within 1 month of the date of this permission, and must be in place within 2 months following the determination date of this planning permission.

Reason: To ensure an adequate provision for surface water drainage is installed in accordance with the details submitted and approved by the Local Planning Authority.

Informatives:

1. In accordance with paragraph 38 of the NPPF (Feb 2019), 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
- Local Plan Part 2: DM1, DM16, DM17

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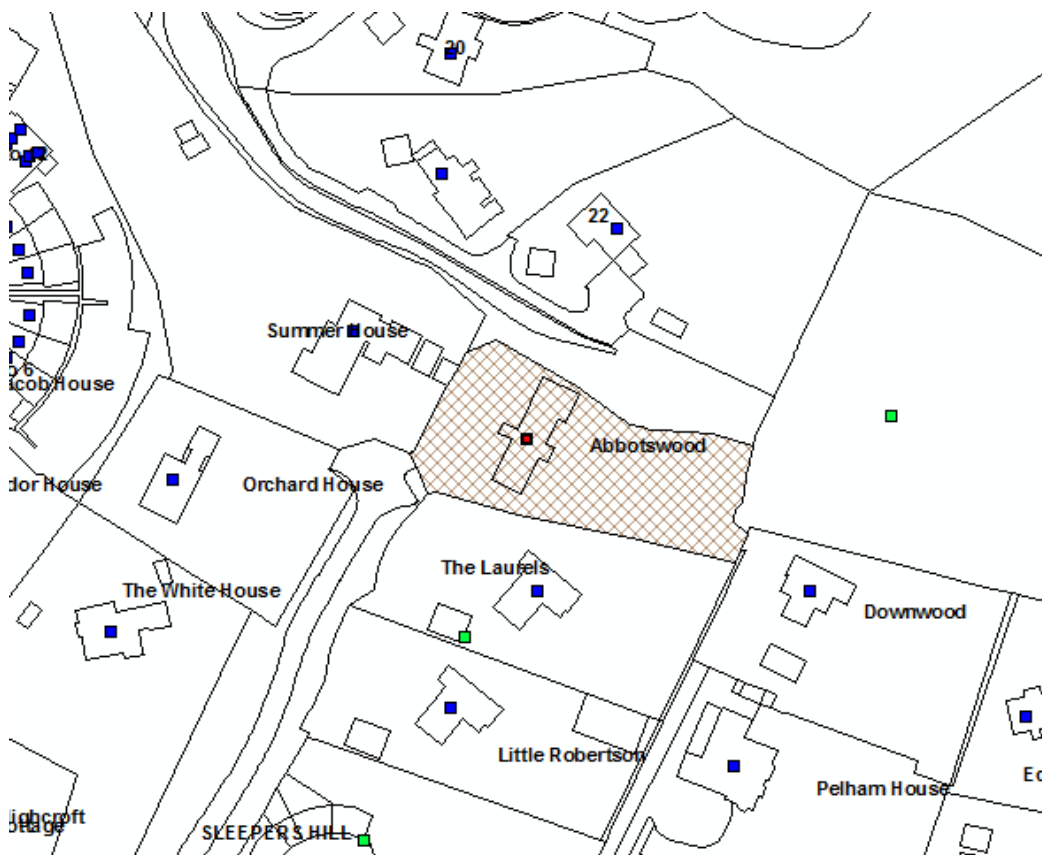
3. This permission is granted for the following reasons:

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

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Case No: 19/02847/HOU
Proposal Description: Extension and refurbishment of existing dwelling & additional ancillary building
Address: Abbotswood Sleepers Hill Winchester SO22 4NA
Parish, or Ward if within Winchester City: St Paul
Applicants Name: Mr & Mrs Stevenson
Case Officer: Rose Lister
Date Valid: 24 December 2019
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q309A2BPINF00>



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General Comments

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

Site Description

The existing property is a large detached building at the end of a cu-de-sac off Sleepers Hill. There is a level change in and around the site so that the neighbouring properties to the south and west are significantly higher than the application site. The area is characterised by large dwellings of various styles that have all had modern finishing materials applied recently.

Proposal

The proposal is for a single storey rear extension, porch, outbuilding, change in roof form and additional hardstanding to the rear.

Relevant Planning History

72/03121/OLD - Conversion of existing double garage into playroom and addition of new double garage and covered porch - permitted

Consultations

Service Lead for Environmental Services - Landscape – Trees

The tree Officer made a site visit to examine the trees. The trees proposed for removal are considered to be poor quality or dead. No objection to their removal.

Representations:

City of Winchester Trust:

The City of Winchester Trust had no objection however made comments regarding the loss of trees and their role in reducing carbon dioxide.

13 letters received form 7 households objecting to the application for the following material planning reasons:

- Loss of trees
- Overlooking

Relevant Planning Policy:

Winchester Local Plan Part 1 – Core Strategy
Policies DS1, CP11, CP13, CP16

Winchester Local Plan Part 2
Policies DM1, DM15, DM16, DM17, DM24,

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National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance
High Quality Places SPD
Residential Parking SPD

Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The development is situated in the settlement boundary of Winchester, 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.

Design and Impact on character of area and neighbouring property

The proposal would see a change in roof style, conversion of the existing garage into living accommodation, a new out building, a porch extension to the front, a single storey rear extension, hard landscaping to the rear and general repairs and changes to the windows brick work.

The proposed changes to the roof would lower the whole by approximately 1m with an exception of a small chimney to the southern end. The shallow pitched roof would be replaced by a flat roof that would not be out of keeping in the street scene. The front porch would extend approximately 3m to the front of the dwelling to allow for a wash room, W/C and boot room. The proposal would have a modern timber finish with glazing.

The proposed rear extension to replace the shed would extend approximately 2.8m to the rear to comprise a gym. The proposal would have a modern timber and glazing finish. The proposed out building would be situated to the side of the property for storage. It would be approximately 7m wide, 2.7m to the ridge and approximately 2.3m deep. Due to the level changes it would be cut into the hill by approximately 1m.

The existing double garage would be converted into living accommodation. The existing garage doors would be replaced with brickwork and glazing to match the existing. To the rear the existing terrace area would be extended and levelled to match the existing. It is considered that the changes would not be out of keeping with the existing or the area and is therefore considered to be acceptable.

The proposed development will be visible from the neighbouring property to the north, west and south of the application site. Concerns have been raised in regard to overlooking. It is considered that there are level changes in the area; as a result the application site is significantly lower than its immediate neighbours. The neighbour to the north is located further down the hill, approximately 27 metres from the application site. It is considered that the distances between the application site and its neighbours are

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sufficient to prevent harmful overlooking. The application is therefore considered to be acceptable.

Landscape/Trees

Sleepers Hill is a Historic Park and Garden that is characterised by its trees. Over time the area has been changed with domestic features however there is a strong suburban, treed character to the area. It is not considered that the proposed additional hard standing would have detrimental impact on the character of the area.

Six trees are proposed to be removed to allow for the development and maintenance of the site. The Trees Officer has inspected these trees and confirmed that they are of very poor condition. It is therefore considered that the removal of the trees would be acceptable. A method statement has been submitted demonstrating how the remaining trees would be protected during construction. A condition has being recommended to replace the trees that would be removed.

Other Matters

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Conclusion

The proposal accords with the Development Plan and the following policies DS1, CP13, CP16, DM1, DM15, DM16, DM17, DM24 and the High Quality Places SDP.

Recommendation

Permission 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 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified in section 5 of the submitted application form.

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

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

849 P102
849 P112
849 P106
849 P105
849 P110
849 P111

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.

4. Within the next planting season 6 trees with a trunk diameter of 5cm, shall be planted to replace the trees to be felled as shown on plan 19357-BT1. If within a period of 5 years from the date of planting, any of the replacement trees die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: in the interests of the amenities 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:-

Local Plan Part 1 Joint Core Strategy: DS1, CP11, CP13, CP16,
Local Plan Part 2: DM1, DM15, DM16, DM17, 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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REPORT TITLE: PLANNING APPEALS

18 MARCH 2020

REPORT OF CABINET MEMBER: CLLR PORTER - CABINET MEMBER FOR
BUILT ENVIRONMENT AND WELLBEING

Contact Officer: Julie Pinnock Tel No: 01962 848 439

Email jpinnock@winchester.gov.uk

WARD(S): ALL (EXCLUDING SOUTH DOWNS NATIONAL PARK AUTHORITY)

PURPOSE

This report provides a summary of appeal decisions received during 1 October – 31 December 2019.

Copies of each appeal decision are available on the Council's website.

RECOMMENDATIONS:

1. That the report be noted.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME

1.1 Analysis of appeal decisions ensure consistency in decision making helping the City Council to protect the Environment.

2 FINANCIAL IMPLICATIONS

2.1 None

3 LEGAL AND PROCUREMENT IMPLICATIONS

3.1 None

4 WORKFORCE IMPLICATIONS

4.1 None

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND COMMUNICATION

6.1 Not applicable – report for information

7 ENVIRONMENTAL CONSIDERATIONS

7.1 None

8 EQUALITY IMPACT ASSESSMENT

8.1 None

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None Required

10 RISK MANAGEMENT T

Risk (Detail in this column specific risks, under each of these headings)	Mitigation	Opportunities
<i>Property N/A</i>		
<i>Community Support N/A</i>		
<i>Timescales N/A</i>		
<i>Project capacity N/A</i>		

<i>Financial / VfM</i> N/A		
<i>Legal</i> N/A		
<i>Innovation</i> N/A		
<i>Reputation</i> N/A		
<i>Other</i> N/A		

11 SUPPORTING INFORMATION:

11.1 This report provides a summary of appeal decision in relation to planning cases received during 1 October – 31 December 2019.

12 cases in total

7 Appeal allowed 58%

5 Appeal dismissed 42%

Of these

1 Application for Costs Dismissed

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None

BACKGROUND DOCUMENTS - Relevant planning applications files.

Previous Committee Reports:- PDC 1156

Other Background Documents:-

APPENDICES:

Appendix 1 – Summary of decisions (Planning Cases) 1 October – 31 December 2019.

APPENDIX 1**PLANNING APPEALS – SUMMARY OF DECISIONS (DC CASES)****REPORT OF CABINET MEMBER: CLLR PORTER - CABINET MEMBER FOR BUILT ENVIRONMENT AND WELLBEING**

A summary of appeal decisions received during the 1 October – 31 December 2019.

Item No: 01			
Date of Inspector's Decision:	16th December 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	P	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	17/02085/LDP		
Case Officer:	Nicola Clayton		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Proposed erection of a detached building for use as a fitness suite that is incidental to enjoyment of the dwelling house.
Location:	The Barn Harmsworth Farm Botley Road Curbridge Southampton Hampshire

Item No: 02			
Date of Inspector's Decision:	15th October 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	18/02062/FUL		
Case Officer:	Liz Marsden		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of two detached dwellings
Location:	Land At The Yard Trampers Lane North Boarhunt Hampshire

Item No: 03			
Date of Inspector's Decision:	4th October 2019	Inspector's Decision:	Appeal Dismissed - Costs Refused
Appeal Procedure (see code below):	W	Costs:	Appellants Costs Dismissed
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	18/00534/FUL		
Case Officer:	Rose Lister		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	(AMENDED PLANS RECEIVED 08/08/2018) Construction of 5 no: class B1 use starter units with parking and landscaping
Location:	Mitre Blue Light Ltd Botley Road Bishops Waltham SO32 1DR

Item No: 04			
Date of Inspector's Decision:	11th November 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	18/01809/FUL		
Case Officer:	Rose Lister		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		

Proposal:	(AMENDED PLANS) Development of a single dwelling on the land adjacent to number 6 Valley Close
Location:	6 Valley Close Colden Common SO21 1UN

Item No: 05			
Date of Inspector's Decision:	24th October 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/00692/PNACOU		
Case Officer:	Curtis Badley		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Change of use of Agricultural Barn to Domestic Dwelling		
Location:	Oakwood Curdridge Lane Curdridge Southampton Hampshire SO32 2BH		

Item No: 06			
Date of Inspector's Decision:	21st October 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	18/01986/FUL		
Case Officer:	Catherine Watson		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		

Proposal:	Erection of 1no. two bedroom dwelling.		
Location:	15 Silwood Close Winchester SO22 6EN		

Item No: 07			
Date of Inspector's Decision:	8th November 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	18/02676/OUT		
Case Officer:	Rose Lister		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of Five self build/ custom build houses - All matters reserved except access
Location:	Land Between Solitar And Claymont Sandy Lane Waltham Chase Hampshire

Item No: 08			
Date of Inspector's Decision:	20th December 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	18/02927/FUL		
Case Officer:	Catherine Watson		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Demolition of existing garage, store and utility room. Single storey extension to the front of the existing house. Alterations to the roof and fenestration of the existing house. New dwelling on the land to the rear.
Location:	Homewell 7 Berewecke Road Winchester SO22 6AN

Item No: 09			
Date of Inspector's Decision:	20th November 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	H	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/01042/HOU		
Case Officer:	Sean Quigley		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Extensions to include: New entrance, first floor extension over existing garage, rear first floor extension over kitchen, attic conversion including new gable to front elevation, internal alterations and refurbishment including new windows and fenestration changes. New detached single storey garage/store to the front garden and modifications to drive and parking to allow turning on site.
Location:	Buffles 56 Kilham Lane Winchester SO22 5QD

Item No: 10			
Date of Inspector's Decision:	11th December 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/00714/FUL		
Case Officer:	Verity Osmond		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Change of use to 4 bed HMO. (AMENDED DESCRIPTION)
Location:	2 Fiona Close Winchester Hampshire SO23 0HB

Item No: 11			
Date of Inspector's Decision:	16th December 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	H	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/01353/HOU		
Case Officer:	Marge Ballinger		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Two storey rear and side extension (revision to approved 19/00729/HOU)
Location:	Corner Cottage Hospital Road Shirrell Heath SO32 2JR

Item No: 12			
Date of Inspector's Decision:	1st November 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	H	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H – Householder			

Case No:	19/00189/HOU		
Case Officer:	Alexander Strandberg		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Proposed loft conversion with associated front, rear and side dormers; rear balcony; side and rear decking, fencing and terrace; Completed: Conversion of garage into studio, with small front extension - previously believed to be permitted development
Location:	Woodlea 3 Boyne Mead Road Kings Worthy SO23 7QZ

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