



Meeting	Planning Committee
Date and Time	Thursday, 10th January, 2019 at 9.30 am.
Venue	Walton Suite, Guildhall, Winchester

AGENDA

PROCEDURAL ITEMS

1. **Apologies and Deputy Members**

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

2. **Disclosures of Interests**

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

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

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

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

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

4. **Minutes** (Pages 9 - 18)

Minutes of the previous meeting held on 13 December 2018.



Public speaking is allowed on individual planning applications, subject to certain restrictions – please contact the Public Speaking Co-ordinator as soon as possible, but **prior to 4.00pm Tuesday 8 January 2019**, on (01962) 848 339 to register to speak and for further details.

BUSINESS ITEMS

	Report Number	Ward
5.	Where appropriate, to accept the Update Sheet as an addendum to the Report.	
6.	Planning Applications - WCC Items 7 – 10 (PDC1123 and Update Sheet refers)	
7.	Carlton Villa, 10 Compton Road, Winchester, SO23 9SL (Case number: 17/03246/HOU) (Pages 19 - 28)	St Michael
8.	Hazelwood, 29 Downside Road, Winchester, SO22 5LT (Case number: 18/02454/FUL) (Pages 29 - 42)	St Barnabas
9.	Trackway Access, Hunton Down Lane, Hunton, Sutton Scotney, Hampshire (Case number: 18/01917/FUL) (Pages 43 - 50)	Wonston & Micheldever
10.	The Grove Day Services, Hinton Fields, Kings Worthy, Winchester (Case number: 18/02349/FUL) (Pages 51 - 64)	The Worthys
11.	Planning Applications - SDNP Agenda Item 12 & WCC Item 13 (PDC 1123 and Update Sheet refers)	

The following items will not be considered before 2.00pm:

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

- | | | |
|-----|--|--|
| 12. | Flat 1A The Old Police Station, Dolphin Hill,
Twyford, SO21 1PU
(Case number: SDNP/18/05355/FUL)
(Pages 65 - 78) | Colden
Common &
Twyford |
| 13. | Two Hoots Campsite, The Oak Barn, Sutton
Wood Lane, Bighton, SO24 9SG
(Case number: 18/02331/FUL)
(Pages 79 - 84) | Alresford &
Itchen Valley |
| 14. | Confirmation of Tree Preservation Order
2228 - Land at Whiteley Lane, Fareham
(PDC1124)
(Pages 85 - 92) | PDC1124

Whiteley &
Shedfield |

L Hall
Head of Legal Services (Interim)

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



20 December 2018

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

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

MEMBERSHIP

Chairman: Ruffell (Conservative)

Vice-Chairman: Read (Conservative)

Conservatives

Cunningham
McLean
Berry

Liberal Democrats

Clear
Evans
Izard
Rutter

Deputy Members

Scott

Laming and Weir

Quorum = 4 members



Working in Partnership



THE HUMAN RIGHTS ACT 1998:

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

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

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

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

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

GENERAL GUIDANCE ON THE WORK OF THE COMMITTEE:

Background

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

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

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

At the meeting

At the start of the Committee meeting, the Chairman 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 design, historic environment and highways may also be available at Committee to provide advice on such matters and a legal representative will attend all Planning Committee meetings.

Members' Questions

After the presentation, there will be an opportunity for the Councillors on the Committee to ask questions of the officers, usually based on the planning themes set out in the report.

PUBLIC PARTICIPATION:

Following the Councillors' questions, there will be a period of public participation, as follows:

- Objectors (3 minutes),

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

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

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

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

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

The Councillors' Debate

After public participation, the Councillors will 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 Viewing Sub-Committee or further information).

If the Committee votes against the officer's recommendation, the reasons for this will be discussed and explained. 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 Chairman may exercise a casting vote and that vote may be cast in any way he wishes.

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

After the meeting

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

DISABLED ACCESS:

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

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PLANNING COMMITTEE

13 December 2018

Attendance:

Councillors

Ruffell (Chairman)

Berry

Clear

Cunningham

Evans

Izard

McLean

Read

Rutter

Deputy Members:

Councillor Laming (Standing Deputy for Councillor Clear).

Others in attendance who addressed the meeting:

Councillors Godfrey, Learney and Porter

Others in attendance who did not address the meeting:

Councillor Bell

1. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee held on 31 October 2018 and 15 November 2018 be approved and adopted.

2. **PLANNING APPLICATIONS SCHEDULE** (Report PDC1122 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 PDC1122.

Councillor Ruffell made a personal statement in respect of Items 12 and 13 (Manor House Barn, High Street, Meonstoke) to the effect that he was a fellow Ward Member for Upper Meon Valley with the applicant, Councillor Lumby and worked with him on Ward issues. Councillor Ruffell stated that

this was a personal interest only and that he would speak and vote on this item.

Councillor Read made a personal statement in respect of item 15 (Meadows Farm, Ervills Road, Worlds End, Hambledon) that he was a member of the same organisation as the applicant, who he had him met once, but this was not a personal interest and he would speak and vote on the application.

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

Item 7: (Amended Description and Plans) 9 new dwellings with parking and associated landscaping following the removal of an existing bungalow.

Dildawn, Tudor Way, Kings Worthy

Case number: 18/01174/FUL

During public participation, Richard Waite spoke in support of the application and answered Members' questions thereon. Mr Waite stated that dialogue would continue with the owner of 134 Tudor Way for the boundary hedge to be reinforced on that border to accommodate the wishes of the neighbour.

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

A summary of the points raised by Councillor Porter is set out below:

- The principle of development was acceptable.
- Development should reflect the character of the area – chalet bungalows.
- Blocked out windows (to reduce overlooking) were not in keeping.
- The development appeared stacked and did not sit comfortably in the landscape.
- The orientation of the lower units did not reflect the best use of aspect.
- Defining the use of amenity space.
- Could restrict future development (of neighbouring plots).
- Concerns over visitor car parking provision and demarcation.
- Traffic impact on Springfield Road.
- Design could be improved.

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 8: Demolition of existing dilapidated cottages and outbuildings to create 16 affordable, fully accessible, residential alms house apartments, support facilities and private pedestrian bridge including highways improvements.

(AMENDED PLANS RECEIVED 25/05)

14 Chesil Street, Winchester

Case number: 17/03096/FUL

The Head of Development Management referred Members to the Update Sheet which set out that:

1. The Habitat Regulations Assessment Stage 2 Appropriate Assessment Report had been approved by Natural England and adopted by the Council as Local Planning Authority.
2. An amended Construction Ecological Management Plan Report had been submitted.
3. An amended Arboriculture Impact Assessment Report had been submitted with minor changes.

The submission of these reports had the consequent condition changes:

1. Condition 11 - Insert after details 'set out in The Arboriculture Impact Assessment RT-MME-127343-04 December 2018' and remove 'submitted and approved by the local authority in writing'.
2. Condition 14 - Change report no.to RT-NMME-128836 Rev A and date to December 2018 and CEMP to CEcMP.

In addition, Condition 6 required an implementation clause therefore to be added after bullet points: 'The surface water drainage strategy shall be implemented in accordance with the approved details and the CEcMP Report No. RT-MME-128836 RevA'.

Further more, in front of the S106 requirement, the words: 'subject to a viability assessment' should be added.

During public participation, Katja Ayling spoke in objection of the application and Pete Liddiard, Paul Williams-Agent, Clive Cook and Martin Lowry - St Johns, Winchester, spoke in support of the application and answered Members' questions thereon.

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

Item 9: Application for approval of reserved matters (condition 2) and condition 4 of outline application 17/00728/OUT. (AMENDED DESCRIPTION).
Crabwood Lodge, Sarum Road, Winchester
Case number: 18/01896/REM

During public participation, Sue Wood, Wonston and Micheldever Parish Council and Lynne Gibson spoke in support to the application and answered Members' questions thereon.

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

A summary of the points raised by Councillor Godfrey is set out below:

- The application was long overdue and should proceed.
- The application was traditional in design with satisfactory lighting and would be an enhancement.
- Access during construction was controlled from Sarum Road.
- The application was straightforward and should be approved

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: (AMENDED PLANS) New dwelling
Bramble Cottage, 4 Dean Lane, Winchester
Case number: 18/01697/FUL

During public participation, Elizabeth McDowell spoke in objection to the application and answered Members' questions thereon.

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

A summary of the points raised by Councillor Learney is set out below:

- Policy WT1 – the application was prominent in its location and out of context with the local setting.
- The form of the building stood out and the City of Winchester Trust had commented that the design failed to fit in as it did not respond positively to the environment in terms of its design and scale.
- Policy DM17 - The effect on light and living areas (of the neighbouring property) due to its close proximity and adverse impact through over shadowing and its overbearing nature. It was designed to reduce the impact on 4 Dean Lane.
- Access – It was opposite Teg Down Mead and visibility was poor, which was contrary to policy DM18 on safe movement.
- Policy DM15 – the accumulative detrimental impact on Dean Lane. As recognised in the St Barnabas Neighbourhood Design Statement.

At the conclusion of debate, the Committee agreed that the application be refused in accordance with policy DM16 in that the design and siting were not compatible with the local area and policy DM17 due to the adverse impact on No. 2 Dean Lane in terms of its siting in relation to the neighbouring property.

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

Item 12: Careful removal and rebuilding of existing piggery walls to convert to one-bedroom holiday let.
Manor House Barn, High Street, Meonstoke, Southampton
Case number: SDNP/18/03229/LIS

The Head of Development Management referred Members to the Update Sheet which set out that the applicant had recently submitted a materials

schedule which had been agreed with the Council's Conservation Officer. However, it was considered important for a sample panel of the brick and flint work to be constructed on site so that it could be inspected and approved by the Conservation Officer. Condition 3 had therefore been amended to reflect these changes.

The applicant had also submitted joinery details which had been agreed with the Council's Conservation Officer. Condition 4 had therefore been amended from being a pre-commencement condition to one requiring the development to be carried out in accordance with the submitted and approved details.

Details of grilles/vents had also been submitted and approved by the Council's Conservation Officer. The references to grilles and vents in conditions 5 and 6 had therefore been omitted.

The amended wording of the conditions is set out below:

3. The development shall be carried out in accordance with the approved HJ Concepts Materials Schedule. No development shall take place above foundations until a sample panel of the brick and flint work has been constructed on site and inspected and approved by the Conservation Officer. The applicant shall contact the Conservation Officer to arrange a site inspection.

Reason: To preserve the setting of the listed buildings and to preserve the character and appearance of the Conservation Area in accordance with Policy CP20 of the Joint Core Strategy 2013.

4. The windows and doors hereby approved shall be installed in accordance with the approved joinery details as shown on drawing 18-1240-WD01. Development shall proceed and be maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the setting of the listed buildings and to preserve the character and appearance of the Conservation Area in accordance with Policy CP20 of the Joint Core Strategy 2013.

5. No new security alarms, lighting, cameras or other appurtenances shall be fixed on the external faces of the building unless shown on the drawings hereby approved.

Reason: To preserve the setting of the adjacent listed buildings and to preserve the character and appearance of the Conservation Area in accordance with Policy CP20 of the Joint Core Strategy 2013.

6. No new plumbing, pipes, soil-stacks, flues or ductwork shall be fixed on the external faces of the building unless shown on the drawings hereby approved.

Reason: To preserve the setting of the listed buildings and to preserve the character and appearance of the Conservation Area in accordance with Policy CP20 of the Joint Core Strategy 2013.

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

Item 13: Careful removal and rebuilding of existing piggery walls to convert to one-bedroom holiday let.

Manor House Barn, High Street, Meonstoke, Southampton

Case number: SDNP/18/03228/HOUS

The Head of Development Management referred Members to the Update Sheet which stated that the applicant had recently submitted details of foul and surface water drainage which had been agreed with the Council's Drainage Engineer.

Details of low transmittance grey glass for the conservation style roof lights had also been submitted which would reduce the light transmittance to 44% (clear glass was rated at 80%). This was considered acceptable and condition 5 had therefore been amended from being a pre-commencement condition to requiring the development to be carried out in accordance with the submitted and approved details.

The amended wording of the conditions is set out below:

3. The foul and surface water drainage shall be implemented in accordance with the following approved details prior to the commencement of the development hereby approved:

18-1240-FD02- Foul Drainage Details

18-1240-FD01B- Storm and Foul Drainage Plan

18-1240-SW01- The Piggery Roof Soakaway

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

5. Low transmittance tinted grey glass shall be used for the Conservation Roof Lights hereby approved and shall be installed in accordance with the submitted details from The Rooflight Company (ref: CPR-DOP-CR-005A-2013-07-01). The glazing shall be retained thereafter at all times.

Reason: To minimise light intrusion in the South Downs National Park which is a designated International Dark Sky Reserve.

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.

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

Item 14: (RETROSPECTIVE) (AMENDED DESCRIPTION) Proposed use of first-floor mezzanine and partial use of ground floor of (northwest) agricultural storage building for office purposes (Class B1).

Meadows Farm, Ervills Road, Worlds End, Hambledon.

Case number: 18/01806/FUL

The Head of Development Management referred Members to the Update Sheet which contained comment received from CPRE Hampshire (11.12.2018) raising concern over increased heavy traffic, lighting and hours of operation restrictions. The retention of the office facilities introduced an element of transportation to and from the site by office workers. This was not considered to introduce excessive use of the access track or '*increased heavy traffic*'. The Highways Officer and Rights of Way Officer had raised no objection on these grounds.

In addition, condition 4 restricted the hours of operation as recommended by the Environmental Health Officer and condition 06 requested lighting details to be submitted including beam orientation and a schedule of the lighting equipment used. This then restricted the use of lighting between 21:00 and 06:30 the following morning.

Therefore the receipt of this comment did not alter the officer's recommendation.

An additional objection comment had been received from Denmead Parish Council (12.12.2018) providing a history of the Agricultural Prior Notification (APN) applications. Comment raised concern regarding the addition of windows and lighting and concluded by making comments on the amount of concrete surrounding the site.

Conditions to control the hours of operation alongside lighting (including hours of lighting use) were included to avoid adverse impact on the tranquil nature of the surrounding environment.

The Head of Development Management concluded in the Update Sheet that as this application considered the retention of an office use only where each application was determined on its own merits, significant harm which justified refusing the application had not been found.

During public participation, Paula Langford-Smith, Denmead Parish Council and Carolyn Hargreaves (World End Residents Association) spoke in objection to the application and Robert Tutton (agent), spoke in support and answered Members' questions thereon.

During public participation, Neil Lander-Brinkley spoke on behalf of Councillor Stallard (Ward Member) with a pre-prepared speech.

A summary of the points raised by Neil Lander-Brinkley on behalf of Councillor Stallard is set out below:

- The landscape was part of Hampshire Treasures
- The application was retrospective
- Policy MTRA4 and rural buildings
- Traffic counts had exceeded 60 per day on a single track farm access lane, which was greater than needed and was unacceptable.
- The increase in traffic movements was not warranted and was a burden on a narrow country lane
- The Farm House was not connected to the barn
- The floodlighting was very visible over the countryside
- NPPF was time limited
- The development was outside of the development boundary
- Office staff came from a wide area and there were better business sites locally that were sustainable. The Parklands Business Park was for Small and Medium sized enterprises and had parking
- The volume of concrete on the land
- Policy DM23 – development should not affect the local character and environment
- There had been no engagement with the local community on the application
- There was considerable objection and the application should be refused

The Committee agreed to defer the decision to a meeting of the Planning (Viewing) Sub Committee to be held on Tuesday 8 January 2019 to commence at 12:00noon. The Planning (Viewing) Sub Committee would visit the site before the meeting in order to assess the impact of the partial use of the agricultural storage building for office use.

Item 15: Proposed Additional dwelling using existing access with retention of existing dwelling using existing separate access.
Greenwood Farm, Greenwood Lane, Durley.
Case number: 18/02185/FUL.

This application was withdrawn on 11th December 2018.

RESOLVED:

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

(i) That in respect of item 10 (Bramble Cottage, 4 Dean Lane, Winchester), the application be refused in accordance with Policy DM16 in that the design and siting were not compatible with the local area and policy DM17 due to the adverse impact on No. 2 Dean Lane in terms of its siting in relation to the neighbouring property.

(ii) That in respect of item 14 (Meadows Farm, Ervills Road, Worlds End, Hambledon) the decision be deferred to a meeting of the Planning (Viewing) Sub Committee to be held on Tuesday 8 January 2019 to commence at 12:00pm. The Planning (Viewing) Sub Committee would visit the site before the meeting in order to assess the impact of the partial use of the agricultural storage building for office use.

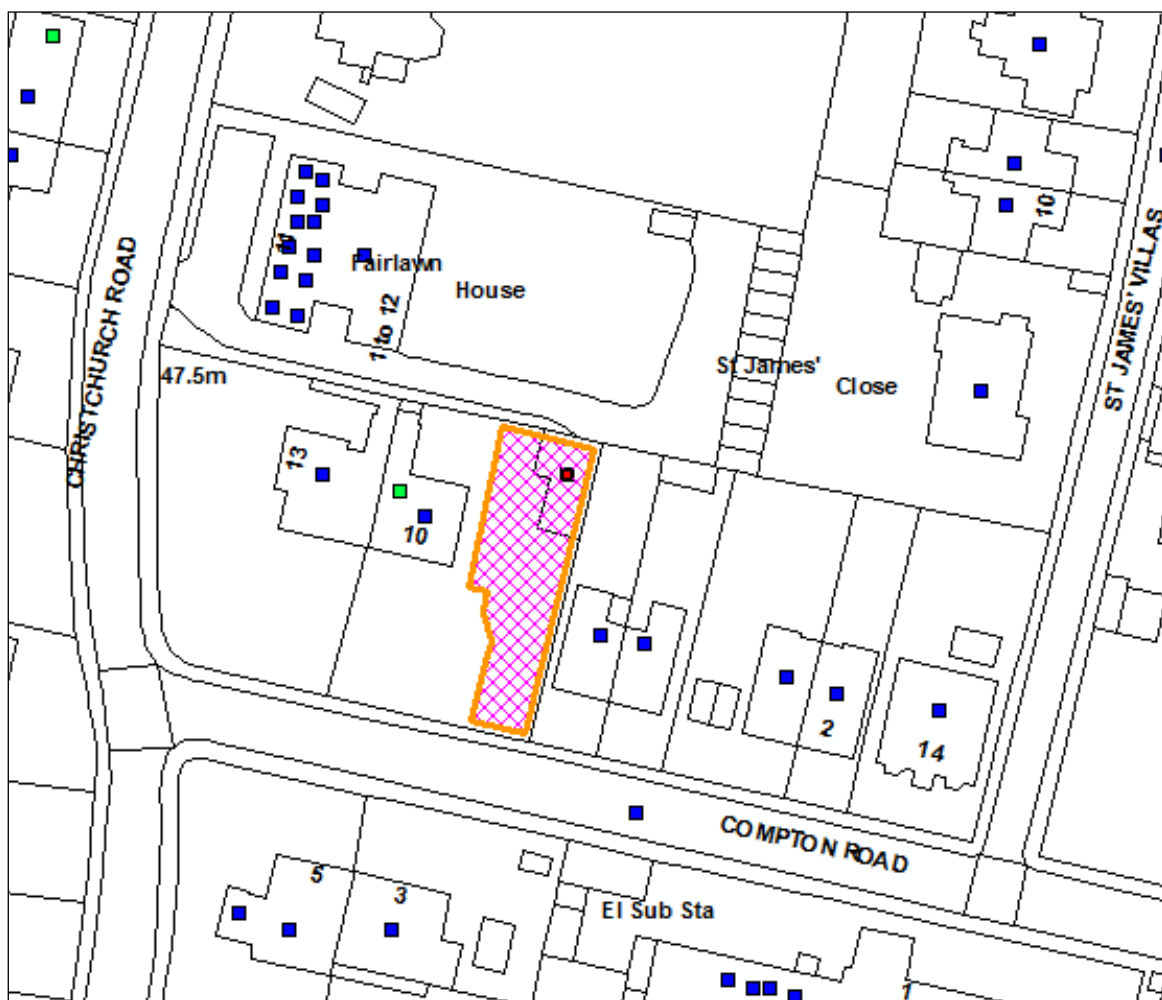
The meeting commenced at 9.30am and adjourned between 12.40pm and 2.00pm and concluded at 3.05pm.

Chairman

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Agenda Item 7

Case No: 17/03246/HOU
Proposal Description: Two storey domestic extension and single storey side extension to existing 19th century house. Rendered boundary wall (retrospectively built) to the west elevation. (Amended proposal.)
Address: Carlton Villa 10 Compton Road Winchester SO23 9SL
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Mr & Mrs Robin and Allison Jowitt
Case Officer: Marge Ballinger
Date Valid: 2 January 2018
Site Factors: Winchester Conservation Area:
Recommendation: Refusal



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General Comments

This application was reported to Committee as eleven contributors provided letters in support of the application and its amendments and this is contrary to the officer's recommendation.

Site Description

Carlton Villa (no. 10 Compton Road) is a 2-storey detached dwelling that was once the coach house to the adjacent no.12. The dwelling (no.10) sits on a footprint of approximately 80 s.m. on a site approximately 248 s.m. The dwelling sits along the northeast corner of land that once encompassed a large estate comprising of no.12-13 as the original 'Carlton Villa' with no.10 as its stable block and coach house.

The site is situated within the Winchester conservation area but is not listed.

The dwelling has been extended to first floor above the former stable block to the rear, and alterations have occurred to the former hayloft and carriage house to the front of no.10 via a unique mono-pitched roof. The site also has small outbuildings to store logs and small garden equipment to the front of the dwelling. No.10 currently has 2 bedrooms, a small kitchen, lounge, passage/hallway area and a small bathroom.

The site is gated to Compton Road and has a cobbled drive for parking behind the gates. The land slope increases slightly from south to north, and steps have been created to access that front garden area of no. 10.

- The front elevation includes 5 small rooflights in the front slope, a Juliette balcony and a window on the first floor, 2 door entrances and a small window at ground floor.
- A high dividing side wall (west) sits adjacent to no. 12 and allows room for a landscaped side garden area to no.10 that include small shrubs and planting, including a planting screen above the wall for privacy. No.10 west side elevation includes 2 first floor windows toward the north-end building, and 9 small rooflights in the sloped roof of the front rooms. On ground floor of the west elevation is one window and 2 sets of doors.
- The rear (north) wall of no. 10 is built close to the site boundary, joining a rear boundary wall. Behind the dwelling, adjacent to a drive used by Fairlawn House flats, includes a drainage grate as the ground level at drive sits higher than ground level of no.10. There are no windows to the rear elevation or in the rear roof slope.
- The side (east) wall of no.10 is built along and incorporated in the dividing wall of adjacent no.8, also joining a side wall, and includes one first floor window toward no.8's rear garden.

Proposal

The proposal includes a first floor extension out of the front of the dwelling within the same footprint as the existing ground floor extension, but by increasing the mono-pitched roof to a shallow sloping roof with eaves and height in line with the existing eaves to the existing rear portion of the dwelling (4.8m). To the west is proposed a ground floor extension with a dual-itched roof of 3m at eaves with a 4.9m at ridge height. The existing

Case No: 17/03246/HOU

high dividing wall (west) was built without the benefit of planning permission, so this proposal was amended to include this element.

Relevant Planning History

No.10-13 Compton Road (prior to land/site severance)

- WIC6979 – Permission granted, subject to a condition, for conversion of stable block into first floor residential unit, ancillary to the existing house, no.10 Compton Road (now no.12-13) – permitted 14.01.1972

No.10-12 (prior to land/site severance)

- 09/01085/FUL - 2m wall with 2.3m entrance piers to the front (RETROSPECTIVE) – permitted 25.08.2009
- 15/02495/FUL - (HOUSEHOLDER) Provision of new pedestrian and vehicular access thro existing boundary wall and off road parking area for 1 car (with drop kerb) – permitted 18.12.2015
- 15/01237/FUL - (HOUSEHOLDER) Provision of new access gate and piers in existing boundary wall plus path to front door – permitted 30.07.2015

No.10

- 18/01056/LDC - Use of the property as a single private dwelling house – permitted 30.08.2018

Consultations

WCC Head of Historic Environment: - No objection to the amended drawings.

The application's original design included larger 2-storey extensions that would have been disproportional to the existing footprint of what was a former coach house. The impact to the host building of no.12, and that the former coach house function of the building is not intact, that there does not appear to have a historic association with an important person or event, '...the LPA would not consider the building to display the quality or sufficient heritage interest to be considered a non-designated asset at this time.'

The amended drawings retain the existing front door and loft door above, and would allow the original footprint of the host property to be maintained and distinguished from its more contemporary additions via glazed links into the new extensions. Although the contemporary design would not follow the existing style of architecture of the streetscene, the existing building would remain in-situ and thus continue to reflect an ancillary relationship with no.12 Carlton House. Therefore the harm to the host building would be low. As the existing plot of no.10 is lawful as an independent dwelling, the current proposal must be assessed on how they would impact the conservation area – the extensions proposed does not severely affect the host building or the streetscene any more than the existing arrangement as the garden frontages and trees and views along the road from the east or west would be relatively unaffected. The proposed extensions' impact to the conservation area would be considered neutral; hence the character and appearance of the conservation area would be preserved.

Case No: 17/03246/HOU

'Should you be minded to approve the application, the success of the proposals would be paramount to the use of good quality materials and finishes and it would be advised that these details be secured by way of conditions.'

WCC Head of Landscape (Trees): - No objection.

Representations:

City of Winchester Trust: - objection to the amended plans.

'Although the Trust welcomes the reductions in scale from the original documents...an entirely new and incongruous building on the site will have a detrimental impact on the relationship of the neighbouring properties. The metal window ranges and flat roofs are alien to the area and pay no heed to the distinctive local characteristics of the conservation area.'

Fifty-two contributors from 43 different addresses provided letters objecting to the application and its amended plans for the following reasons:

Design within a Conservation Area

- Modern design out of keeping with the Conservation Area.
- Design unsympathetic to the area and adjacent properties.
- Uncharacteristic of the Christchurch Road character area appraisal 2003 (described as 'large houses with generous gardens')
- Replacement of slate roof with zinc is incongruous to the area;
- Once extended, it will visually appear to be linked with adjacent no.12 as its 2m at its nearest point; loss of the existing subservient relationship to adjacent no.12
- Contravenes policy DM28 (demolition in conservation areas) as it does not satisfy certain tests; conflicts with design principles set out in CP13, CP20, DM15, DM16, DM17, DM27, NPPF (12).

Scale/Overdevelopment

- Increase in size would lose the original subservience as a coach house and create a cramped site; out of proportion to the site as well as to the neighbouring properties.
- Site was never intended to be an individual dwelling but ancillary to main dwelling (no.12)
- Precedent would be set for future development of outbuildings into large separate dwellings.
- Visual impact to no.3 (across Compton Road) by the mass of the development; loss of views to the trees north of the property with a 2-storey extension.
- Juliette balcony out of keeping with the area and too close to no.12 for overlooking issues.

Residential Amenity

- Impinge on neighbouring main house (no.12) in terms of space, scale, privacy, overlooking.
- Loss of natural light, overlooking and overbearing to no. 8.
- North-facing windows proposed would impinge on Fairlawn House amenity and

- privacy; north-facing windows and all roof lights will increase light pollution.
- Side extension would be intrusive and overbearing to Fairlawn House; loss of sunlight and overshadowing to Fairlawn House building and garden.
- Rooflights and additional windows create light interference to adjacent properties (no. 8 and no.12).
- Glazed links from the original to the new first floor extension would create opportunity for overlooking to no.12.

Other

- Invalidity of this application (referring to the recently approved lawful development certificate and the west dividing wall not having the benefit of planning permission).
- No Heritage Statement was provided. (Note: Heritage details were supplied in the Design & Access Statement.)
- Damage to mature nearby trees; lack of tree assessment.
- Three car parking spaces are provided to no.10 and no.12 combined and does not following the Parking SPD.
- Increase traffic and services to area with an extended dwelling.

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

- Questions of the validity of the historical studies submitted 26 September 2018 (1871-2017).
- WCC Planning permitting the retrospective permission would undermine the credibility of the WCC Planning System. (Note: only the wall has been retrospectively-built in this application.)
- Impinge on neighbouring main house (no.12) in terms of market value. Impact resale of flats to Fairlawn House.
- Plans to extend no.10 should have been revealed during the selling off of no.12 in 2017.
- Considerable disruption to access during construction works to neighbours along the road and to the rear, as well as the noise and dirt.
- Potential disruption to the drive and garages to Fairlawn House during construction; no details of construction methods to avoid accessing the drive to Fairlawn House during construction.
- Dispute in the actual boundary and ownership between no.10 and no.12. Erecting a wall on a boundary not in ownership.
- Additional noise from the occupants and their visitors will decrease neighbour's enjoyment.
- Comments received from those living outside the immediate area should not be considered credible.
- The local community is unanimous in objecting to this development.

Eleven contributors provided letters in support to the application for the following reasons:

- In favour of contrasting old (character) with new 21st century development
- Practical solution to an impractical living space.
- The dwelling is now independent of the main house (no.12) and should have its own identity.
- It is reasonable to add a 2-room addition to a primarily 3-roomed house.
- There is adequate screening from established plants and its siting back from the road, so extensions would have minimal impact to street scene.
- The flat roof design is currently demonstrated in the local area via the Coach

Case No: 17/03246/HOU

House to Mantua House (no14 St James Lane) that was built in a similar style as the proposed.

- A flat lead roof with rooflights is similar to what has been permitted at no.5 Compton Road (kitchen).
- There is a belief the scale of the proposal has been misread as the existing building will not increase its height and no.12 and no.8 are both a storey higher than the proposed extensions.
- We trust the applicant's development approach to be sympathetic, tasteful and carefully considered, as has been proven with the existing garden design to no.10 and the renovation work to no.12; Based upon the quality of work to no.12, we hired the same builders to do work on the Provost Place scheme.
- The proposal modern touch is similar to Princess Mead School (Abbots Worthy) as it has had some redevelopment of smaller properties to integrate with the new. Chesil Lodge (Care Home) is another example of how old/new can integrate well.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy:
DS1, CP13, CP20

Winchester Local Plan Part 2:
DM15, DM16, DM17, DM27, DM28

National Planning Policy Guidance/Statements:
National Planning Policy Framework 2018, Section 16

Other Planning Guidance:
Winchester Conservation Area Appraisal – Christchurch Road
High Quality Places SPD
Parking Standards SPD

Planning Considerations

Principle of development

The proposal site is located within the Winchester Settlement Boundary where the principle of constructing domestic extensions is considered acceptable providing it complies with the relevant policies set out below.

Design/Layout

The original extension plans were amended extensively in April 2018 as the overall size and scale to the existing building were disproportionate and the original side and front extensions would have an overbearing impact toward the neighbouring properties (no.8 and no.12). The proposal and plans were further amended in September 2018 to include the west boundary wall, landscaping and to restrict opening to a south-facing first floor window. A further amendment was added in December 2018 for clarification of the east wall's gutters and to clarify that the extensions and walls are within the ownership of no.10.

Case No: 17/03246/HOU

The amended drawings include a reduced ground floor/west side extension that sits 50cm from the west dividing wall with a zinc pitched roof of 3m at eaves up to 4.9m at ridge height to serve as its new kitchen. There are no windows facing toward no.12 and the roof pitch will obscure one of the two existing side first floor windows that look down onto no.12 rear garden from the original building. The roof pitch angle is similar to the existing higher roof pitch. Double-glazed doors will lead onto the side garden of no.10 but would sit below the existing wall to the boundary. Three rooflights will sit in the front roof pitch to allow south-facing sunlight into a kitchen.

The existing kitchen/living room will be retained as one living room but include 3 rear windows to be conditioned as obscure-glazed to avoid any potential overlooking issues to the shared rear garden and garages of the adjacent land behind Fairlawn House (a block of flats that fronts Christchurch Road).

The existing front extension is proposed to extend out from the original building's first floor but maintain its existing ground floor footprint. The original drawings of the front extension had been decreased in width to be 5.15m wide, as per the existing width. The depth out to the front will maintain the existing 7.8m. The amended drawings bring the first floor up from 4.8m to 5.17m, but extend out with a very low-sloped hipped roof. The first floor is proposed to be 6.2m out from the original rear building, then drop to the existing ground floor 2m high bathroom. There are 3no. 8-paned windows to the front elevation and 3 to the west elevation of the first floor extension. The first floor is proposed to be a new bedroom.

The existing building was built with a system known as 'clunch' which is a mixture of chalk, straw and horsehair internally, then lime-rendered/plastered. The proposed extensions are to be rendered in a beige render to match the existing and include a contrasting Crittall-style windows and doors.

Feedback from the Historic Environment officer from the original designs highlighted that it was important to retain the character of the rear and side elevations to the existing coach house. Additional site visits were held and the Historic Environment officer advised on maintaining the original entrance/door to the ground floor rear part of the building as this had more historic significance as it reflected the original stable use of the building. Therefore, glass linked passageways into the side and front extensions introduce a transition from the original character property into its modern extensions. The sash windows and Juliette balcony have been retained in the host building as well, while the use of Crittall-style windows and a rolled-zinc roof contribute to the modern, contrasting style. Referring to High Quality Places SPD, contrasting materials can be acceptable if the design is of high quality and has a sympathetic relationship to the character of the area.

Impact on character of area and neighbouring properties

Policy DM27 states that any new buildings or extensions must respond sympathetically to the historic settlement pattern, are of appropriate height and massing, proportionate and of good quality building materials, respects and will not erode the existing character of an area. Properties along Compton Road and the local area have been described as Christchurch Road character area as 'notable for its large houses set in generous gardens with well-defined boundaries and breaks.' Building uses in the area are predominantly residential, either single family houses or houses of multiple occupancy, with exceptions being purpose-built boarding houses for Winchester College and some

low-rise blocks of flats (as the adjacent Fairlawn House).

Properties along Compton Road and the surrounding area have been adapted and extended in the past, and some include modern, flat-roof extensions. In this case, the size, scale and materials proposed would conserve the character by using good quality design and materials of what would be expected as a converted ancillary property sited to the rear garden behind the more prominent dwellings near the road. The extensions are subservient to the host building, and maintain a low impact as compared to the existing larger villas along the road.

Policy DM28 states that planning permission would only be granted for the demolition of buildings in conservation areas if the building makes no positive contribution to the character, appearance or historic interest of the area. In this case, it was preferred to retain the original stable block area of the building, and extend to the side and front, rather than demolish and replace.

Based upon the above assessment, it is considered that the extensions to no.10 would have a neutral impact on the public views from Compton Road as it preserves the character and appearance of the conservation area by building within a similar footprint as the existing extended dwelling and maintaining the character and features of the host building.

Policies DS1, CP13, 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. In this case, the original designs were reduced resulting in a ground floor side extension and 2-storey front extension that fits within a similar footprint as the existing.

Impact on No.12 Compton Road (to the west)

The adjacent dwelling to the west (no.12) is a 19th-century Victorian villa and has a block-paved rear garden that is enclosed with high rendered walls (over head-height) of the dividing wall to no.10 and to the rear. No.12's courtyard is also enclosed via the side elevation and a log store to the west side. The dividing wall between no.10 and no.12 was built without the benefit of planning permission. The wall was erected in 2015 when the two properties were being formally partitioned to ensure outdoor private amenity spaces to both no.10 and no.12. (New walls higher than 2m require planning permission in this situation.) The existing wall to the north of both properties measures 3.5m approximately from ground level of no.10, and the dividing wall measures up to 2.3m (for approximately 7.2m), then drops down to 2.1m in height, then kicks east slightly to allow for a wider corridor from no.10 dwelling and dividing wall. The retrospective dividing wall is rendered with a concrete capping stone similar to the other existing surrounding walls as seen nearby on Compton Road, in-keeping with the character of the area. The west dividing wall is therefore considered to be acceptable.

No.10 (existing) has a 5m gap from its side elevation to the west dividing wall, and a planting screen sits above and along the wall to help promote privacy between the two properties as both have first floor windows facing each other's side elevations. The proposed side extension will bring built form approximately 50cm away from the boundary of no.12's rear garden courtyard via a dual pitched roof sloping from 3m (just above the wall height) up to 4.9m at ridge. The side extension is proposed to be similar to the depth

of the rear courtyard garden of no.12. No additional windows are proposed to the west elevation above the dividing wall height.

The rear garden of no.12 has an existing sense of private enclosure due to its existing high (over head-height) boundary walls, and the ground level is much lower to the adjacent no.10. The difference in ground levels and the roof pitch of the extension of up to 4.9m only 50cm away from the wall would further encompass the rear courtyard to no.12. This would prove to have an unacceptable overbearing impact on the residential amenities of no.12 due to its height and depth adjacent the dividing wall to full depth of the adjacent courtyard sufficient to warrant refusal.

The front extension will not be built higher than the existing, and maintain its 7m gap to the west dividing wall. No.12 and no.10 have rear elevations that face north so natural sunlight is limited to no.12 by the existing walls and surrounding buildings. The new side windows proposed at first floor on the front extension's west elevation will be approximately 8.5m from the side elevation of no.12. With the gap and the existing planting retained, the front extension will not have a significant overlooking impact or loss of light to the adjacent no.12.

Impact on No.8 Compton Road (to the east)

The adjacent dwelling to the east (no.8) is also a 19th century semi-detached Victorian villa that sits closer to Compton Road than no.12 and has a long narrow rear garden. There is a small outbuilding/store near the rear elevation to the boundary between no.8 and no.10 and a very narrow pathway between no.8 and the dividing wall.

The front extension of the proposal will increase the existing built form along the boundary from 4.8m up to 5.15m approximately, and replace the existing decreased sloping side elevation (from north to south) with a first floor (up to 3.25m) before stepping down and joining the 2m existing front bathroom structure. Three Crittall windows face toward the front of the property, but are positioned off-side of the first floor windows to no.8, and are recessed. Based upon the overall increase in height of the building in close proximity to the private amenity space of no.8 Compton Road it is considered that the additional increase to first floor would prove to have an overbearing impact to no.8 sufficient to warrant refusal.

Fairlawn House (flats to the north)

The adjacent site to the north of no.10 is the rear shared garden and drive to Fairlawn House which is a 1970s-built block of 12 flats that replaced an existing dwelling house. The flats were built of brick (painted to first and second floor) with the communal garden and drive that allow access to the garages to the rear of the site. The existing rear wall of no.10 is incorporated in the rear boundary walls that run along the shared drive (including rear walls to no. 8 and no.12). The rear elevation to Fairlawn House is approximately 19m to no.8's rear wall. The proposal to add 3 ground floor windows to the rear ground floor elevation has been amended to be obscure-glazed, to avoid any potential overlooking onto the rear garden of Fairlawn House.

It is considered that the addition of windows and roof lights to an existing dwelling and its extensions is not excessive. As this is an existing dwelling within a residential area with close proximity to a city centre, the potential for harmful impact due to light pollution to Fairlawn House flats is considered low.

Landscape/Trees

The adjacent property to the north (Fairlawn House) has trees and shrubs to the adjacent private drive (between a high wall and the paved drive). The private drive is currently used for the existing vehicle access to garages located to the east end of the Fairlawn House site. However, the proposed extensions sit outside of the root protection areas of the nearest tree, so no further conditions or tree surveys will be required.

Highways/Parking

The existing drive, entrance and gates will be retained, as well as the 2 parking spaces. Although the Parking SPD recommends 2 off-street parking spaces for a 3-bedroom house, this is within a central location to the City Centre and amenities can be accessed locally by means other than a car.

Recommendation: Refusal

The development is contrary to policy DM17 criteria (vii) in Winchester District Local Plan Part 2 (Adopted 2017) in that the proposals would have a detrimental impact to the amenities of the neighbouring properties (to the west and to the east) due to the overbearing impact by reason of the size, height, siting, and scale of the proposed extensions..

Informatives:

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

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

In this instance site meetings were carried out with the applicant.

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

The Local Plan Part 1 (2013) - DS1, CP13, CP20

The Local Plan Part 2 - DM16, DM17

Conservation areas - DM27, DM28

NPPF (Section 12 of previous version; Section 16-2018 version)

High Quality Places SPD

Parking SPD

3. The below list states the plans considered as part of this application in the interest of clarity;

Location Plan, drawing AP500 dated 20.12.2017

Proposed Site Plan, drawing AP005 rev C dated 20.12.2017 (amended 25.09.2018)

Proposed Plans, drawing AP050 rev F dated 20.12.2017 (amended 20.09.2018)

Proposed Elevations, drawing AE050 rev K dated 20.12.2017 (amended 29.11.2018)

Proposed Roof Plan, drawing AP051 rev F dated 20.12.2017 (amended 20.09.2018)

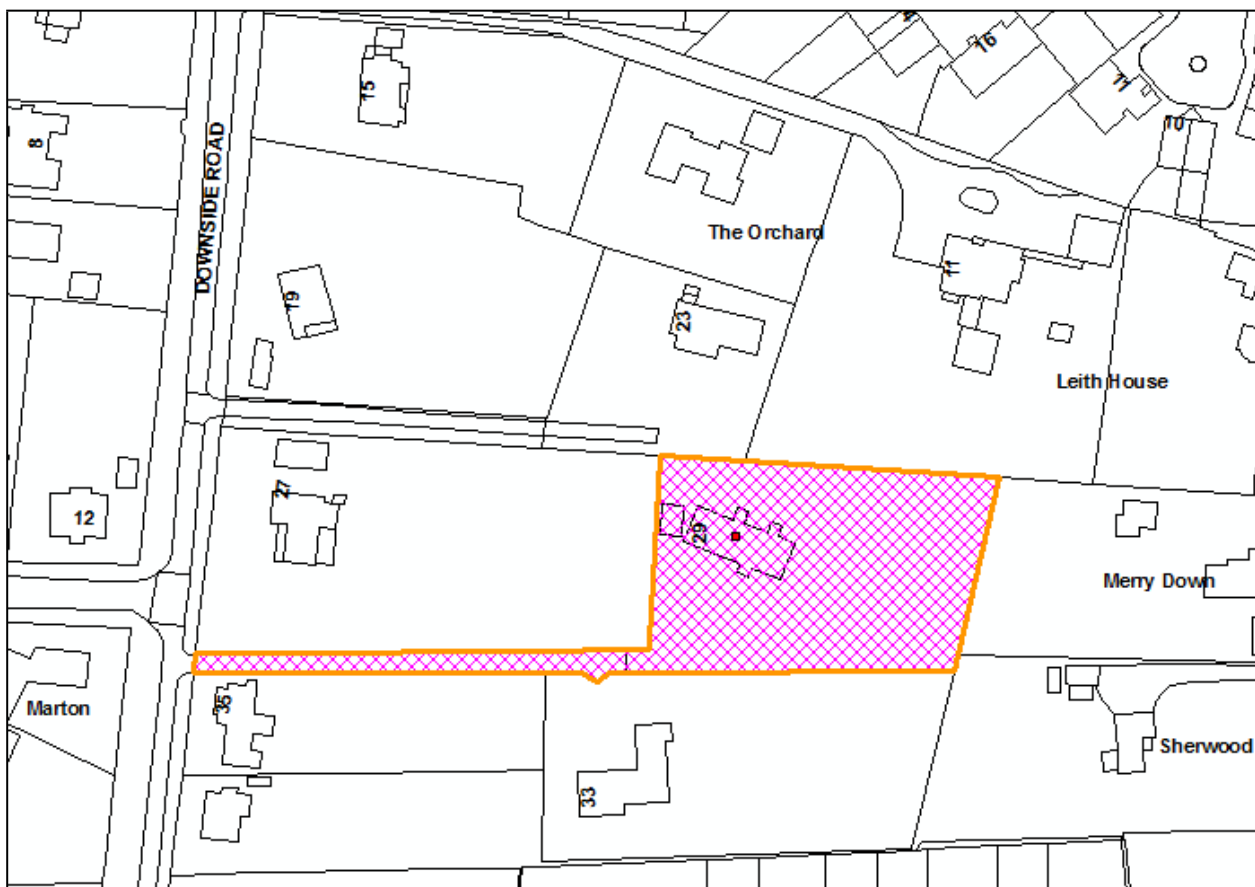
Proposed Gutter Detail, drawing AD081 dated 30.11.2018

Case No: 17/03246/HOU

Agenda Item 8

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 18/02454/FUL
Proposal Description: Redevelopment of the site following the demolition of existing dwelling house at 29 Downside Road and the erection of 3no. dwellings with associated landscaping, and parking. (RESUBMISSION).
Address: Hazelwood, 29 Downside Road, Winchester, SO22 5LT.
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr Richard Wickins
Case Officer: Catherine Watson
Date Valid: 19 October 2018
Recommendation: Application Permitted



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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

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

The application is a resubmission of previous applications 18/00629/FUL and 18/00630/FUL, both of which were refused at a prior committee meeting.

Site Description

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

Proposal

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

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

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

The density of the proposed development would be 12 dph.

Relevant Planning History

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

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

Consultations

Engineers: Drainage:

No objection.

Engineers: Highways:

No objection.

Head of Landscape:

No objection in general landscape terms but the paved parking areas are large in comparison with the overall size of the site. The materials for the paving are appropriate. The planting proposed is appropriate but should be shown in a conditioned landscape plan to show species, size and densities and further details of the planting proposed for the southern boundary, which is not shown on the proposed plans.

Southern Water:

No objection.

Head of Landscape: Trees.

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

Representations:

City of Winchester Trust:

Objects. The proposal does not address the issues raised for 18/00630/FUL.

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

- Overloads the area's infrastructure;
- The increase in the number of dwellings is another reduction in the open and green spaces of the Dean Lane area;
- Problems with construction traffic;
- Overdevelopment;
- Safety issues for children;
- The increased traffic will result in noise pollution;
- Incompatible with policy DM15 – Local Distinctiveness;
- The extra spaces in the dwellings could be converted to bedrooms in the future;
- Impact on protected trees;

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Impact on wildlife;
- No access for emergency vehicles.

0 letters of support received.

Relevant Planning Policy:

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

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

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance:
High Quality Places SPD.

Planning Considerations

Principle of development

The proposal is within the main settlement boundary of Winchester and is therefore acceptable in principle.

CP2 allows for new residential development provided it meets a range of community housing needs. It should provide a range of dwellings types, tenure and sizes with the majority being two and three bedroom homes. One of the reasons for refusal of 18/00629/FUL (2no five bed dwellings) was that it did not accord with this policy in terms of the mix. 18/00630/FUL (1no five bed and 2no three bed dwellings) was considered by the planning officer to accord with this policy but was also refused as being contrary to CP2. The current proposal is for 1 four bed and 1 three bed and a 2 bed home, and is considered to be appropriate for the character of the area.

CP13 sets out that new development is expected to be of high quality design. The design of the dwellings is traditional and well designed utilising high quality traditional materials.

CP14 seeks to ensure that land is used as effectively as possible. This means that developments of higher densities will be supported if the site has good access and facilities and public transport. The development potential of all sites should be maximised and balanced against the need to promote high quality design. The second reason for refusal of 18/00629/FUL was that it was considered to be contrary to this policy as it did not demonstrate an effective use of the land. It is considered that this site is situated within an established urban residential area which has good access to local facilities and transport. The development of three dwellings in the current proposal is considered to be an effective use of the land.

DM15 allows for new development provided it respects the qualities, features and characteristics that contribute to the distinctiveness of the area. Therefore the existing

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

landscape character should be preserved and enhanced. The existing boundary landscaping on site is to remain and further details with regards to additional landscaping within the site will need to be submitted post approval.

DM16 permits development which accords with the development plan provided it responds positively to the character of the area in terms of scale, layout and appearance. It should also use high quality materials that are durable and appropriate in the context of the development site. The second reason for refusal of 18/00630/FUL was that it was considered by members that the proposal failed to respond positively to the character of the area in terms of its design, scale and layout. The current proposal utilises high quality materials and design and is considered to be laid out in a manner which makes good use of the plot.

DM17 permits development that is satisfactory in terms of its impact on and off the site. It should not have an unacceptable adverse impact on adjoining land by reason of overlooking, overbearing or overshadowing. DM18 seeks to ensure that adequate provision is made for parking and access. The parking should comply with the relevant standards and should also make provision for cycle parking. The proposal provides sufficient car parking that is in line with the adopted standards.

Design/layout

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

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

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

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

It is considered that the proposed development is an effective use of the land and should therefore be supported.

Impact on character of area.

The proposed development would be sited down an existing driveway and set behind mature landscaping. There is a drop in levels from Downside Road to the site resulting in the built form not being prominent or particularly visible in the street scene. The existing

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

landscaping to the boundaries will be retained with additional planting to the southern boundary and additional tree planting to the east boundary to bolster the existing screening to the neighbouring properties.

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

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

Impact on neighbouring property

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

The properties to the rear, Sherwood and Merry Down are considered not to be adversely impacted by the proposed development in terms of overbearing and overlooking, as these are at a distance from the proposed dwellings – 44 metres and 60 metres respectively.

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

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

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

Landscape/Trees

A mature Douglas fir on the northern boundary with 23 Downside Road (and within the curtilage of no 23) has recently been issued with a tree preservation order. The tree's roots are likely to be situated within the footprint of the detached garage belonging to plot 1 and therefore require protection. The occupant of no 23 raised a discrepancy on the tree protection plan with regards to the location of this tree, which has been determined to be approx. 1m closer to the boundary than on the original plan. Revised plans and arboricultural impact assessments have since been submitted showing the correct location. Even with the alteration of position, the area of the tree's roots which may be impacted by the proposed development fall within the permitted percentage

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

(approx. 10.5% of the total calculated RPA) whereby minimal harm will be caused. The Council's arboricultural officer considers this to be acceptable.

The Council's landscape officer had no objection in general landscape terms but considered that the paved parking areas were large in comparison with the overall size of the site. Whilst this comment is noted, the parking areas need to provide sufficient space for turning. The site is considered to be large enough to accommodate this without significantly affecting the overall landscape character of the plot, provided that a more detailed landscaping scheme is submitted to and approved by the LPA. The materials for the paving were considered to be appropriate.

Highways/Parking

No reference with regards to highway safety, parking or traffic was given in the reason for refusal for either of the previous applications. The highways officer has reiterated his comments from these applications in response to concerns for local residents and these are summarised below.

The existing access and driveway will be retained and utilised for the new development. This currently provides access for the existing bungalow and no. 33 Downside Road. There is mature landscaping to the side of the access which will be retained. The application has been supported by a transport statement together with a construction management plan which demonstrates how the affects of construction vehicles will be mitigated.

Concerns have been raised by local residents that the additional traffic would impact highway safety, particularly that of local children using the track to access no 27. Downside Road is a private road and therefore does not form part of the public highway. Whilst the driveway is narrow it is straight with very good forward visibility. It is not considered to be a safety risk due to the limited number of additional traffic movements. The submitted information demonstrates that the development will only generate 1 additional traffic movement in the am peak period and 2 in the pm peak period, with a total of 13 additional traffic movements on average spread over a 24-hour period. This is considered acceptable.

The proposal makes adequate provision for the parking and turning of vehicles in accordance with the adopted standards. There is adequate visibility from the access road junction with Downside Road which is in accordance with the manual for streets.

Parking will be provided by detached garages providing sufficient car parking spaces for each plot as well as space for turning vehicles so that they can leave the site in a forward gear.

A condition has been recommended to ensure that the submitted Construction Method Statement is adhered to during construction.

Ecology

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

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Conclusion

In conclusion it is considered that the proposed development is acceptable and compliant with the relevant policies and will not harm the character of the area nor will it have an adverse impact on neighbouring properties and is therefore recommended for approval subject to the conditions as listed below.

Recommendation

Approval subject to the following condition(s):

Time limit.

01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Approved Plans.

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

Drawing No: L1 Location Plan received 19.10.2018

Drawing No: D100 A Site Plan received 19.10.2018

Drawing No: D101 A Dwelling 1 Proposed Floor plans received 19.10.2018

Drawing No: D110 A Dwelling 1 Proposed Elevations received 19.10.2018

Drawing No: D111 Dwelling 1 Proposed Elevations received 19.10.2018

Drawing No: D112 Proposed Car Port received 19.10.2018

Drawing No: D201 A Dwelling 2 Proposed Floor Plans received 19.10.2018

Drawing No: D210 A Dwelling 2 Proposed Elevations received 19.10.2018

Drawing No: D211 Dwelling 2 Proposed Elevations received 19.10.2018

Drawing No: D301 Dwelling 3 Proposed Floor Plans received 19.10.2018

Drawing No: D310 Dwelling 3 Proposed Elevations received 19.10.2018

Drawing No: D400 Site Section A-A received 19.10.2018

Drawing No: TSP-KC/DOWNSIDE/003 Tree Protection Plan received 03.12.2018

Drawing No: 518-103 Rev A Landscape Strategy Plan received 03.12.2018

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

Pre-commencement conditions.

Highways.

03 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

04 Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

Drainage.

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

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

Energy and water (pre-commencement).

06 Prior to the commencement of the development hereby permitted detailed information (in, the form of SAP design stage data and a BRE water calculator) demonstrating that all homes, meet the equivalent to Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the, Code for Sustainable Homes) shall be submitted to and approved in writing by the Local, Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy, CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

Levels.

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

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

Trees.

08 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement – Technical Arboriculture ref. AIA/AMS-KC/SH/DOWNSIDE/003 Revision A dated November 2018 , and submitted to

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

09 The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with Ref: AIA/AMS-KC/SH/DOWNSIDE/003 dated November 2018 Telephone - Principal Tree Officer. 01962 848403

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

10 The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848403.

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

11 No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation, of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

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

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

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

Landscape.

13 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development 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.

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

Materials.

14 No development above DPC shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

Trees.

15 No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Report ref: AIA/AMS-KC/SH/DOWNSIDE/003 Revision A dated November 2018.

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

16 Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Method Statement Ref: AIA/AMS-KC/SH/DOWNSIDE/003 Revision A dated November 2018 shall be agreed in writing to the Local Planning Authority.

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

Construction Management Plan.

17 The submitted Construction Management Plan dated February 2018 shall be adhered to and implemented throughout the construction period.

Reason: To ensure that the existing road network is protected.

Energy and water (pre-occupation)

18 Prior to the occupation of the dwelling hereby permitted detailed information (in the form, of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet equivalent to the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for, Sustainable Homes) shall be submitted to and approved in writing by the Local Planning, Authority. The development shall occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of, The National Planning Policy Framework 2012 and to accord with the requirements of Policy, CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

Ecology.

19 The recommendations as set out in Section 5.0 of the submitted Ecological Assessment by Peach Ecology dated 16th October 2018 shall be adhered to in perpetuity.
Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reason: In the interests of promoting and protecting ecology on site

Informatives:

01 In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

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

In this instance the applicant was updated of any issues after the initial site visit.

02 This permission is granted for the following reasons:

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

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

Winchester Local Plan Part 1 - Joint Core Strategy: CP2, CP11, CP13, CP14
Local Plan Part 2 - Joint Core Strategy: Development Management and Site
Allocations: DM15, DM16, DM17, DM18
SPD High Quality Places

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

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

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

Case No: 18/02454/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

06 The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

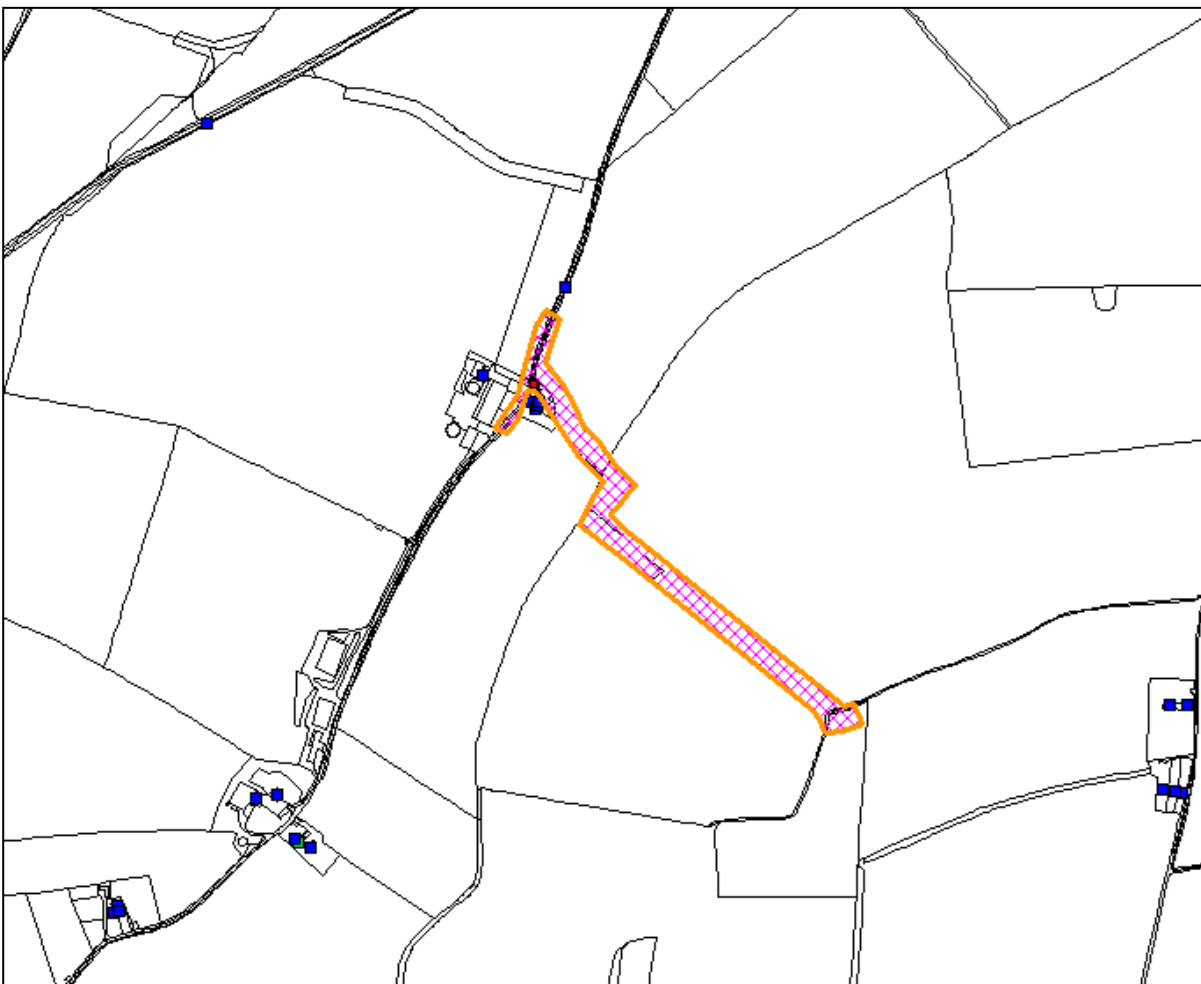
The appropriate fee.

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

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WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 18/01917/FUL
Proposal Description: RETROSPECTIVE APPLICATION FOR NEW FARM ACCESS AND ACCESS TRACK
Address: Trackway Access, Hunton Down Lane, Hunton, Sutton Scotney, Hampshire.
Parish, or Ward if within Winchester City: Wonston
Applicants Name: SAVILLS
Case Officer: Catherine Watson
Date Valid: 21 August 2018
Recommendation: Application Permitted



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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Application reported to Committee due to a request from Cllr Horrill which is appended to the report.

Site Description

The site is in an area of countryside and is largely characterised by arable fields, separated by mixed species hedgerows. The nearest settlement is Hunton, approx. 1.8km away.

Proposal

The application is retrospective and comprises a new farm track linking an existing track from Weston Down Road to Hunton Down Road. The track has been constructed in order to provide a link for HGV farm traffic associated with agricultural storage buildings on Weston Down Road to Hunton Down Road so that they do not have to drive through several of the neighbouring villages. Hunton Down Road is a classified (C-class) road and therefore, planning permission is required in order to create an access onto this road. The application was submitted as a result of an investigation by the Council's Enforcement team.

Relevant Planning History

An application for Barn at Weston Down Road was permitted - 18/01918/FUL - AGRICULTURAL BARN FOLLOWING DEMOLITION OF EXISTING BARN (RETROSPECTIVE).

Consultations

Engineers: Highways:

The Council's Highways Engineer advised that the type and amount of work undertaken which affects the public highway requires the applicant to enter into a Section 278 agreement with Hampshire County Council. It was advised that Hampshire County Council Highways should be consulted.

Hampshire County Council Highways:

The HCC Highways Officer was consulted and they advised that the applicant was required to submit speed survey information, tracking drawings (particularly for large agricultural vehicles) and a Stage 1 Road Safety Audit. This information was duly submitted by the applicant. Following a further request by the County for additional information on Traffic Flows and Swept Path Analysis, this information was submitted and was assessed to be acceptable. The County stated that they wished to raise no objection.

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Ecology:

The Council's Ecologist was consulted due to the presence of a SINC on the adjacent field, towards Hunton Down Lane. This SINC was designated as such due to the presence of Stone Curlew. The Council's Ecologist then consulted the Hampshire Biodiversity Information Centre (HBIC) in order to obtain more information on the designation and what the potential impact of the trackway might be upon it. Their ecologist advised that the data to support the designation came from the RSPB and that HBIC were recommending deletion of the SINC as the last recorded sighting of Stone Curlew was in 2009. HBIC confirmed that the trackway would have no impact upon Stone Curlew.

Representations:

1 letter received objecting to the application for the following reasons:

- Local residents are affected by noise, dust and vibration to their cottages as a result of passing HGVs.
- The land either side of the access track is home to Stone Curlew which is a protected and priority species.

Reasons not material to planning and therefore not considered in this report:

- The current track takes vehicles over the national gas pipeline and the weight of the HGVs and vibration could cause damage to the pipeline.
- The access track has been constructed as wide enough for two way traffic but Hunton Down Lane is a single track road with no passing places.
- HGVs will cause wear and tear to the road and the Council will have to pay for vehicle damage claims.
- Other road users will be put at risk from the HGVs.
- In light of the owner's proposal to build 6000 homes nearby, the track could facilitate instant access to the owner of the land for a further large-scale development plan.

An objection and request for the application to be determined at committee was received by Cllr Horrill (see appended email for committee request). The comments made are as follows:

- There are more HGV trips taking in grain from other farmers.
- An alternative route should be considered using a "stepping stone" approach to cross the field. A legitimate farmers route would not necessarily have to go down this route.
- It is not clear what the designation of the land is at the Hunton Down Lane end of the track.
- Further clarification is required with regards to the nature of the bridleway on Weston Down Road and the bridleway sign has been moved.
- There are limited passing places for vehicles on Hunton Down Lane.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA4 – Development in the Countryside.
CP16 – Biodiversity.

Winchester Local Plan Part 2 – Development Management and Site Allocations.
DM1 – Location of New Development.
DM10 – Essential Facilities and Services in the Countryside.
DM23 – Rural Character.

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Planning Considerations

Principle of development

Policy MTRA4 allows for development which has an operational need for a countryside location, such as for agriculture, horticulture or forestry. It is considered that the proposal meets this criterion.

Policy CP16 requires new development to avoid adverse impacts on biodiversity. The proposal is not considered to cause significant harm to the biodiversity of the area.

Policy DM1 allows development that accords with the Development Plan if that development is appropriate to a countryside location and as specified in Policy MTRA4. It is considered that this development meets these criteria.

Policy DM10 allows for development where a location in the countryside is essential for operational reasons and traffic issues can be addressed satisfactorily and a traffic management plan is secured. These issues have been addressed accordingly and are considered by the County Highways Officer to be acceptable.

Policy DM23 states that the volume of traffic generated by the development will be assessed along with the ability of rural roads to accept increased levels of traffic without alterations that would harm their rural character.

Design/layout.

The purpose of the track is to create a route between farm buildings on Weston Down Road, via an existing track, and Hunton Down Lane, a classified road leading to Weston Farm. The trackway is wide enough to allow two HGV farm vehicles to pass. It will also allow easier access for heavy farm machinery, such as combine harvesters, to the arable fields owned by the applicant. The applicant has encountered difficulties in bringing HGV farm traffic through the villages of Sutton Scotney, Wonston, Stoke Charity and Weston Colley where the roads are primarily narrow and rural in nature and it is considered that the change of route would significantly ease any associated difficulties in passing through these villages.

It can be seen from the submitted plans that the trackway follows a logical route in order to find the most effective path between the two roads.

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Impact on character of area and neighbouring property

The track closely follows the existing hedged field boundaries and is not surfaced but consists of compacted earth. It is wide enough to allow for the safe passage of two farm vehicles side by side. The farmland accessed by the track is not situated adjacent to any public rights of way and as such, it would not be expected that members of the public would use it. Indeed, there are locked gates between the fields so it would not be accessible to anyone other than farm workers. The track is considered to be typical of an agricultural track of this nature and is not considered to cause significant harm to the rural character of the surrounding area, in line with Policy DM23 of LPP2.

A small group of cottages (Victoria Cottages) are situated towards the access of the track onto Hunton Down Lane. No comments have been received from the occupiers of these cottages. The access onto the classified road of Hunton Down Lane has been widened and visibility splays added in order to accommodate turning of the HGV farm vehicles onto and from the main road. Concerns have been raised by a local resident with regards to the additional number of vehicular trips in terms of road safety, noise and pollution. Due to the limited number of vehicular trips (identified as less than one "in" and one "out" per hours at peak times (harvest), it is not considered that this would cause significant harm either in terms of excessive noise or pollution for the residents of Victoria Cottages.

With regards to the potential impact of the above on the properties at the junction with Weston Down Lane, this accesses an existing track used for farm traffic and whilst the construction of the barn on Weston Down Road (dealt with under delegated powers under application no 18/01918/FUL) was to facilitate ancillary storage associated with the farming enterprise, including large farm vehicles, it should be acknowledged that the barn replaced an existing barn structure (albeit smaller) and the site was used for agricultural purposes. It is therefore not considered that there would be a significant increase in harm caused by the relatively small increase in traffic upon the occupiers of these dwellings in terms of noise and pollution.

The highway matters are dealt with in the relevant section below.

Landscape/Trees

Given the countryside setting of the trackway and access and its use for agricultural purposes, it is considered that no significant harm would be caused to the landscape setting of the area affected.

Highways/Parking

The key consideration in assessing this application is any potential harm caused by the farm traffic using the trackway to access Hunton Down Lane, a classified road. This road then leads to the A30 and the A303. HCC Highways were consulted with regards to assessing the number of traffic movements, highways safety and swept path analysis.

With regards to traffic movements, subsequent information was provided by the applicant on 17.12.2018 stating that during the August 2018 harvest period a total of 108 lorries entered and exited the site (54 in and 54 out) with a peak usage of 18 in and 18 out over a two day period at the start of the month. It is considered that the avoidance of the villages of Weston Colley, Stoke Charity and Wonston which are characterised by narrow roads with buildings close to the carriageway edge would have a beneficial effect on these villages, reducing the amount of heavy farm traffic. Journey times would also be reduced, which would be beneficial for the operation of the applicant's business.

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

With regards to highway safety, the comments of the local resident are noted and regarding other vehicular traffic, horses and pedestrians using the road, a Stage 1 Road Safety Audit was submitted to and accepted by, HCC Highways. It is therefore considered that there would be no significant highway safety issues caused by the limited increase in traffic.

Swept Path Analysis demonstrates that the access can accommodate an articulated vehicle passing a tractor with a trailer. With regards to conflicting traffic on the track itself, it is considered that this is unlikely due to the low frequency of traffic movements to and from the site.

The NPPF transport test states that development should only be prevented if there would be a demonstrable and severe worsening of highway conditions. Given the information submitted by the applicant, outlined above in response to the HCC Highways Officer's requirements it is considered that the impact is not significantly harmful and is acceptable for the agricultural needs of the applicant and in terms of highway safety and traffic.

Other Matters

A number of other matters have been raised which have been explored further.

Regarding the area of restricted byway at the end of Weston Down Road and its use by vehicular traffic it can be confirmed that the access from Weston Down Road onto the existing trackway forms part of a restricted byway where vehicular use is prohibited however this part of the trackway is historic and does not form part of the redline site, therefore cannot be considered as part of this application.

With regards to the designation of the land at the Hunton Down Lane end of the track, this has been dealt with in the Ecology section above.

Concerns over the trackway being utilised to serve any possible, large scale housing development are not material to the application as potential future development of this nature cannot be taken into consideration.

Recommendation

In conclusion, the recommendation is that the application is permitted. No conditions, other than approved plans are deemed necessary as the application is retrospective.

Conditions

01. The retrospective development hereby approved with consideration to the following plans:

Site Location Plan Dwg No 1842-100A received 07.08.2018

Site Location and Block Plan Dwg No 1842-102A received 07.08.2018

Site Location Plan Dwg No 1842-103A received 07.08.2018

Site Access Plan Dwg No 1842-104A received 07.08.2018

Site Access Arrangement Dwg No ITB14364-GA-001 A received 08.10.2018

Swept Path Analysis – Combine Dwg No ITB14364-GA-002 received 08.10.2018

Swept Path Analysis – Articulated Vehicle Dwg No ITB14364-GA-003 received 08.10.2018

Case No: 18/01917/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Figure 1 – Access to Public Highway received 17.12.2018

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

Informatives:

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

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

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

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

Local Plan Part 1 - Joint Core Strategy: MTRA4, CP16

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM10, DM23

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.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Appendix 1

Subject: FW: Micheldever - 8/01917/FUL - Retrospective Application for New Farm Access & Access Track

From: Cllr Caroline Horrill

Sent: 03 December 2018 07:38

To: Lorna Hutchings

Cc: Julie Pinnock

Subject: Micheldever - 8/01917/FUL - Retrospective Application for New Farm Access & Access Track

Lorna,

Thank you for following up with me regarding the retrospective application at Micheldever.

I confirm that I request that the decision goes to committee should the officer recommendation be to agree the application.

Please note that I am not sure HCC have the correct definitions of the bylaw/bridleways in the area I would ask for you to follow up on this with the County.

Many thanks.

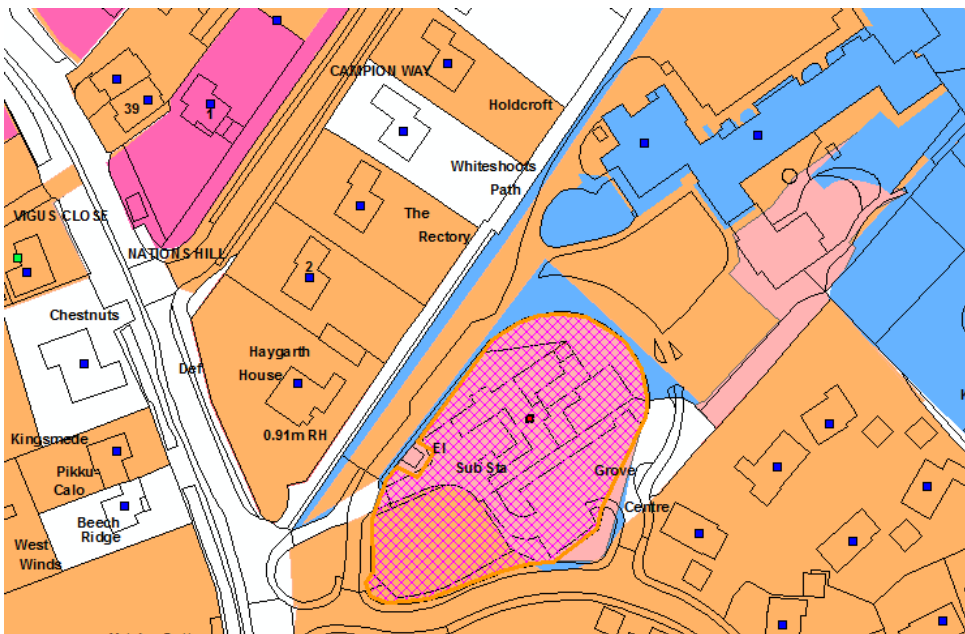
Kind regards,
Caroline

Caroline Horrill
Leader & Portfolio Holder for Housing
Cllr for Wonston & Micheldever Ward
Winchester City Council
City Offices, Colebrook Street
Winchester, SO23 9LJ
Tel: 01962 848135

chorrill@winchester.gov.uk
www.winchester.gov.uk

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 18/02349/FUL
Proposal Description: Demolish former day care centre and erect eight detached dwellings with associated access, parking and landscaping.
Address: The Grove Day Services Hinton Fields Kings Worthy Winchester Hampshire
Parish, or Ward if within Winchester City: Kings Worthy
Applicants Name: N/A
Case Officer: Verity Osmond
Date Valid: 9 October 2018
Recommendation: Permit



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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

The application is reported to Committee due to the number of objections received contrary to the Officer recommendation for approval.

The application has also been called into Committee by a Ward Councillor. This request is appended to the end of this report (Appendix 1).

Amended plans have been submitted and re-advertised under this planning application. An update will be given at committee for any further letters received. The layout of the site has been re-ordered and the number of 4 bedroom properties has been reduced so that 4 of the 8 units will be in the form of 3 bedrooms.

Site Description

The application site is located on the northern side of Hinton Fields, with Kingsworthy Primary School to the north-east of the site. The application site is situated centrally within the one-way system with the existing access to the site being afforded from the south west corner of the site.

The application site is bounded by substantial hedging along its northern and western boundaries, affording the site an enclosed and verdant character. The surrounding area is residential in character, which predominantly consists of larger detached two-storey dwellings.

The application site is currently occupied by a vacant single storey building which was formerly used as an adult day services centre. The services centre has been relocated to within Winchester Discovery Centre as part of a wider Hampshire County Council Transformation Programme relating to the Council's day services.

Proposal

The application has been submitted for the demolition of the former day centre and the erection of eight detached dwellings with associated access, parking and landscaping.

The proposed 8 new dwellings will be provided in the form of 4 x 4 bedroom dwellings and 4 x 3 bedroom dwellings. The existing access to the site will be blocked up and two new access points will be provided along the southern boundary of the site. The access road to the dwellings will run centrally through the site, with 3 of the units fronting onto Hinton Fields at the southern section of site and the remaining facing onto the access road.

Relevant Planning History

18/02341/DEM – (Prior-approval not required) Demolition of single storey former day services facility building known as The Grove.

Consultations

Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Engineers: Drainage: The application site is located within Flood Zone 1 with a very low risk of surface water flooding. No objection to application providing a condition is attached to the consent requiring detailed proposals for the disposal of foul and surface water.

Engineers: Highways: No objection to revised layout and parking provided cycle parking is provided in accordance with WCC's Residential Parking Standards.

Head of Trees: No objection to the application, provided suitable tree replacement is implemented with the landscaping plan.

Head of Landscape: No objection to the revised layout and landscaping of the scheme, provided a more detailed plan containing all hard and soft landscaping works and boundary treatments is conditioned to the consent.

Archaeology: No objection to application provided the applicant implements a programme of archaeological mitigation works in accordance with a Written Scheme of Investigation prior to the development and site clearance.

Southern Water: No objection to application subject to informative being attached to planning consent for connection to the public sewerage system.

Representations:

Kings Worthy Parish Council

- No objection to principle of application, but concerned with parking provision on site.

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

- Inadequate parking provision within the site
- Increase in traffic generation
- Increase highways safety risk
- Housing density on the site is too high
- The heights of the dwellings are too high
- Archaeological impact
- The size of the new dwellings are too large

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

- Decreased air quality impacting on children's health
- The primary school being over-subscribed.

0 Letters of Support received

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
Policy, MTRA 1, DS1, CP2, CP11, CP11 CP13, CP20
Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Winchester District Local Plan Part 2

Policy DM1, DM15, DM16, DM17, DM18, DM24, DM26

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

High Quality Places SPD

Kings Worthy Village Design Statement

Planning Considerations

Principle of development

The application site is located within the defined settlement boundary of Kings Worthy; MTRA1 of the WDLPP1 allows for new development within the settlement boundaries provided that it is appropriate in scale and design and conserves the settlement's identity.

Policy CP2 of WDLPP1 seeks to ensure that new residential development should meet a range of community housing needs and deliver a wide choice of homes. The majority of homes should be in the form of 2 and 3 bedroom homes. This development is for 8 dwellings with 4 x 4 bedroom and 4 x 3 bedroom dwellings. The original scheme only provided for 2 x 3 bedroom properties; the amended plans have doubled the provision of 3 bedroom properties so that 50% of the dwellings provided will be in the form of the 3 bedroom dwellings.

Whilst it is accepted that 50% is not a clear majority, it is consistent with the council's approach to implementing CP2 as in this instance justification has been submitted detailing that there are local circumstances that mean a flexible approach should be taken in this part of Kings Worthy. It is considered to be acceptable in the local circumstances as the application site is located within a low density residential area, characterised by large detached dwellings. The proposed housing mix is therefore considered to accord with the prevailing character of dwellings within this part of Kings Worthy.

Policy CP6 of WDLPP1 seeks to retain and improve facilities and services across the District unless it can be demonstrated that the site is no longer required because the service or facility has been satisfactorily relocated or no longer needed to serve the locality and the site has no reasonable prospect of being used for an alternative service or facility. The proposal is not considered to conflict with this policy as Hampshire County Council have relocated the day centre services to a more accessible location within Winchester Discovery Centre in the City Centre. This relocation took place as part of a wider HCC Transformation Programme in which a county wide consultation was undertaken with the patrons of HCC Day Services which identified people wanted a greater community involvement and not have their services provided in isolation.

The site has since been vacant for several years, and was initially marketed in 2016 to establish any interest from community groups; no interested parties came forward during this marketing period and it was agreed to progress with the sale of the site, with the applicant confirmed as the preferred bidder in the 2017. HCC has confirmed that any proceeds from the disposal of the site will be reinvested back into the Learning Disability

Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Transformation Programme, thereby helping to maintain a high standard of public services across the county.

The Government has announced (March 2015) updates to its policy on housing standards and zero carbon homes. These affect the Council's implementation of Policy CP11 of the adopted Local Plan Part 1. While policy CP11 remains part of the Development Plan and the Council still aspires to achieve its standards for residential development (Code for Sustainable Homes Level 5 for energy and Level 4 for water), Government advice now sets a maximum standard of 110litres/day for water efficiency and the equivalent of Code Level 4 for energy. Therefore, for applications determined after 26 March 2015, Local Plan policy CP11 will be applied in compliance with the maximum standards set out in Government advice. Conditions and 10 and 13 are proposed in order to secure these sustainability levels.

CP13 of the LPP1 states that new development is expected to meet the highest standards of design, taking into consideration the context of the site and the surrounding area, makes a positive contribution to the local environment, creating an individual place with a distinct character, well connected to its surroundings and maximise the potential to improve local biodiversity. In this instance the application is considered to accord with the stipulations within this policy, further details in regards to this are set out below.

Design/layout

The proposed design of the dwellings is considered to be of a high quality and reflective of Hinton Fields. There have been numerous iterations to the layout and size of the dwellings, which has resulted in their design responding carefully and uniquely to their specific context and site constraints and care has been taken to reflect the character, scale and form of surrounding development and limit adverse impacts on residential amenity. The design and layout of the scheme is therefore considered to be acceptable.

The proposed dwellings within the south eastern section of application site front onto Hinton Fields, effectively mirroring the layout of the residential properties to the south of the application site. Units 1, 2 and 8 are 4 bedroom dwellings and are considered to address the street scene positively providing a continued active frontage along Hinton Fields. The size and location of these dwellings within the plot is considered to reflect those existing on the opposite side of road. The main frontages of these properties are at the street level which will provide an interesting and active relationship with the public realm along Hinton Fields. The remaining properties face onto the access drive through the site, with the dwellings forming a small cluster of properties which accords with the layout of the surrounding residential properties which are generally comprised of small groups of houses accessed off private shared drives.

The size of two of the dwellings has been reduced resulting in a more spacious pattern of development within the plot. Concerns have been raised in regards to the housing density on the site; whilst this is slightly higher than the surrounding area, two of the units have been reduced in size and the layout of the properties within their plots is very reflective of the pattern and density of houses in the locality. The application site has good access to facilities and public transport and is located within a suburban part of Winchester in which a slightly higher density is considered acceptable in accordance with Policy CP14 of WDLPP1.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The reduction in size of these units has also allowed for the creation of more useable rear garden spaces for each of the proposed units. The proposed new dwellings are located away from the site boundaries and the level of landscaping around the perimeter will be maintained, respecting the verdant and semi-enclosed character of the application site.

The proposed design of the dwellings is characteristic of the surrounding residential development, and will be two storey properties constructed with hipped roofs. The scale of the properties is in keeping with the prevailing two storey properties within the locality ensuring the development does not appear as overly dominant or incongruous within the street scene or to views from the surrounding area.

The proposed materials to be used are considered to reflect the character of the Hinton Fields, with the predominant materials being red brick, white render, clay and slate tiles with timber windows throughout all units. The proposed materials are considered to be in accordance with the design guidance within The High Quality Places SPD.

Impact on character of area and neighbouring property

The proposed development of 8 dwellings is considered to accord with the context of development within the surrounding area, reflecting its distinctive character through the design, layout and size of the proposed scheme. The proposal is not considered to result in significant harm to the character or appearance of the surrounding area.

The character of the surrounding area, as discussed within the Kingsworthy Village Design Statement, is of a green semi-rural suburban appearance. The group of trees to the northwest of the site comprise important vegetation within the village. These trees in addition to the existing hedging will be retained, with new tree replacement planting, resulting in a development that sits comfortably within the plot whilst maintaining its semi-rural and verdant feel.

As the application site is located centrally within a plot with no immediate adjoining neighbouring properties and is well enclosed by the hedging/tree forming the perimeter of the site, the proposed development is not considered to have any significantly harmful impact on the surrounding residential amenity in terms of overlooking, overbearing or overshadowing impact.

As the layout and size of the dwellings have been revised under the amended plans, the new dwellings are situated at a sufficient distance from the site boundaries to limit visual impact from the surrounding properties but also providing greater distances between each of the new units.

Landscape/Trees

The landscaping of the scheme has been re-worked through the amended plans to ensure the level and position of the landscaping is appropriate to the application site and the surrounding area. The proposal will include substantial areas of soft landscaping to its site boundaries and around each individual plot.

The existing trees and hedging around the perimeter of the site will be retained and new native hedges will be planted to replace the existing access from the school access road. The existing trees within the application site are proposed to be felled to make way for the new development, however new tree planting and soft landscaping is proposed.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

All trees on site are poor to average specimens that do not have a significant amenity value. Therefore their removal will not have a significantly detrimental affect on the public amenity of the area, provided suitable tree replacement is implemented within the site.

It is considered the proposal will maintain the green and semi-rural character of the application site by achieving an appropriate balance between the proposed dwellings and a level of landscaping which is sympathetic to the location of Hinton Fields.

Notwithstanding the above, a landscaping condition requiring a more detailed landscaping plan is recommended to ensure all hard and soft landscape works, tree replacements and boundary treatments are acceptable.

Highways/Parking

Significant concern has been raised in regards to highways issues and parking on site. The amended plans have reduced the size of two of the units and provide more visitor parking centrally within the plot. Car parking provision complies with Winchester City Council's Residential Parking Standards and includes 3 no. visitor parking spaces at the end of the private entrance road.

Two new vehicle accesses are proposed onto Hinton Fields one of these will be in the form of a private driveway entrance to serve Plots 1 and 2 and the other remaining units will be accessed via a small private access road, which now incorporates a turning area to enable a larger vehicle to turn within the site. As the site access has been relocated away from the school entrance and away from the school access drive, it is not considered that the proposal will have significant impact or risk associated with school traffic and pedestrian activity.

It is also not considered that a development of eight new households will generate a level of additional traffic over and beyond that associated with the former use of the site as a D1 Day Services Centre.

Archaeology

The proposal site lies in an area of known archaeological potential. Previous archaeological investigations undertaken in the vicinity of the site have recorded evidence of Iron Age settlement and Roman and medieval activity.

It is likely that further archaeological remains will be present within the application which will be disturbed by the groundworks associated with the proposed development, despite likely disturbance from the existing day centre.

While this does not present an overriding concern, a programme of archaeological work to investigate, record, analyse and subsequently report on the archaeological evidence that will otherwise be destroyed by the proposed development should be secured through the attachment of suitable conditions to any planning consent that might be granted.

The pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and / or construction works.

Ecology

Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The application is accompanied by a Biodiversity Checklist, Phase 1 and Phase 2 Bat Surveys (which confirmed the presence of bat roosts for brown long-eared bats and soprano pipistrelle and common pipistrelle bats) and an Ecological Appraisal which includes a proposed bat compensation strategy, a compensation plan for dormice, hedgehogs and stag beetles, and ecological enhancements to be incorporated into the new development. Condition 17 ensures these ecological enhancements are adhered to.

Drainage

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk. Foul drainage is proposed to connect to the foul sewer, the applicant should contact Southern Water to request confirmation of capacity in the network for the development. Surface water drainage as proposed is acceptable subject to satisfactory infiltration tests in the ground. The final design is to take the measured infiltration rates into account. Any shared parts of the drainage system will require a management plan detailing financial/maintenance arrangements. Condition 9 deals with the detailed drainage proposal for the scheme.

Recommendation

Approval subject to the following condition(s):

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

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

Site, Block and Location Plan and Street Scene Drawing 9092/100 REV K

Unit 1 Proposed Floor Plan and Elevations Drawing 9092/101

Unit 2 Proposed Floor Plan and Elevations Drawing 9092/102

Unit 3 Proposed Floor Plan and Elevations Drawing 9092/103 Rev A

Unit 4 Proposed Floor Plan and Elevations Drawing 9092/104 Rev B

Unit 5 Proposed Floor Plan and Elevations Drawing 9092/106 Rev B

Unit 6 Proposed Floor Plan and Elevations Drawing 9092/105 Rev C

Unit 7 Proposed Floor Plan and Elevations Drawing 9092/107 Rev B

Unit 8 Proposed Floor Plan and Elevations Drawing 9092/108

Proposed Garage Drawing 9092/109 Rev A

Reason: In the interests of proper planning and for the avoidance of doubt and to ensure the development is carried out in accordance with the relevant policies of The Development Plan.

PRE-COMMENCEMENT CONDITIONS

3. No development above damp proof course shall take place until details and samples of the materials to be used in the construction of the external surfaces of the new dwellings

Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual relationship between the new development, the existing and the surrounding area in accordance with Policy DM15, DM16 of Winchester District Local Plan Part 2 (2017) and The High Quality Places SPD (2015).

4. No development above damp proof course shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following;

- planting plans and schedules of plants and replacement trees, noting species, planting sizes, planting numbers/densities where appropriate.
- details of areas of hard surfacing.
- details of any means of enclosure (fencing/walling) and all boundary treatments.

All hard and soft landscape works shall be carried out in accordance with the approved details.

The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity of the area and to ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

5. No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site including any earthworks to be undertaken have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

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

6. No development or any works of site preparation shall take place until the applicant or their agents or successors in title have implemented of a programme of archaeological mitigation works, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

- The programme and methodology of site investigation and recording
- Provision for post investigation assessment, reporting and dissemination

Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Provision to be made for deposition of the analysis and records of the site investigation (archive)
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

7. Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

8. Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

9. 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 development shall be carried out in accordance with the approved details.

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

10. Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwelling shall meet Code 4 or equivalent standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

CONDITIONS TO BE DISCHARGED BEFORE OCCUPATION OF DWELLING

11. Before the development hereby approved is first brought into use, visibility splays of 2.4 metres by 25 metres shall be provided at the junction of each access and public highway. The splays shall be kept free of obstacles at all times.

Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reason: In the interests of highway safety.

12. The parking areas including the garages shall be provided in accordance with the approved plans before the dwellings are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling houses as a residences.

INFORMATIVE NOTE - The minimum internal dimensions of the garage must be 3m by 6m and the minimum width of the entrance door to the garage should be a 2.44m (8ft) - Reason:- In order that the garage can be used and accessed by modern cars, several of which now have larger vehicle dimensions.

Reason: To ensure the permanent availability of parking for the property.

13. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that the dwelling shall meet the Code 4 or equivalent standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

CONDITIONS TO BE DISCHARGED (NOT PRE-COMMENCEMENT)

14. The proposed access and drive, including the footway crossing shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE A licence is required from Hampshire Highways Winchester, Bishops Waltham Depot Botley Road, Bishops Waltham, SO32 1DR prior to commencement of access works.

Reason: To ensure satisfactory means of access.

15. Following completion of archaeological fieldwork, within 9 months (unless otherwise agreed in writing) a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

OTHER CONDITIONS

16. Cycle Parking for each dwelling must be provided in accordance with Winchester City Council's Residential Parking Standards.

Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reason:- To ensure that alternative means of access to the private motor car is promoted and to comply with required Standards as set out in Planning Policy 8 of above document.

17. The mitigation strategy, roost compensation and NPPF ecological enhancements for bats, dormice, nesting birds and the other protected species shall be carried out in accordance with the recommendations contained within the submitted ARB ECOLOGY LTD Ecological Appraisal report of September 2018.

Reason: Reason: To ensure the protection of the local environment and ecology

Informatives:

1. This permission is granted for the following reasons:

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

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

Winchester District Local Plan Part 1 (2013): DS1, CP2, CP11, CP13, CP14, CP20

Winchester District Local Plan Part 2 (2017): DM1, DM15, DM16, DM17, DM18, DM24, DM26

Winchester District High Quality Places Supplementary Planning Document

Kingsworthy Village Design Statement

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

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

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

Case No: 18/02349/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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>

7. A licence is required from Hampshire Highways Winchester, Bishops Waltham Depot Botley Road, Bishops Waltham, SO32 1DR prior to commencement of access works.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Appendix 1

Dear Verity

I sent in an objection via the website last week...

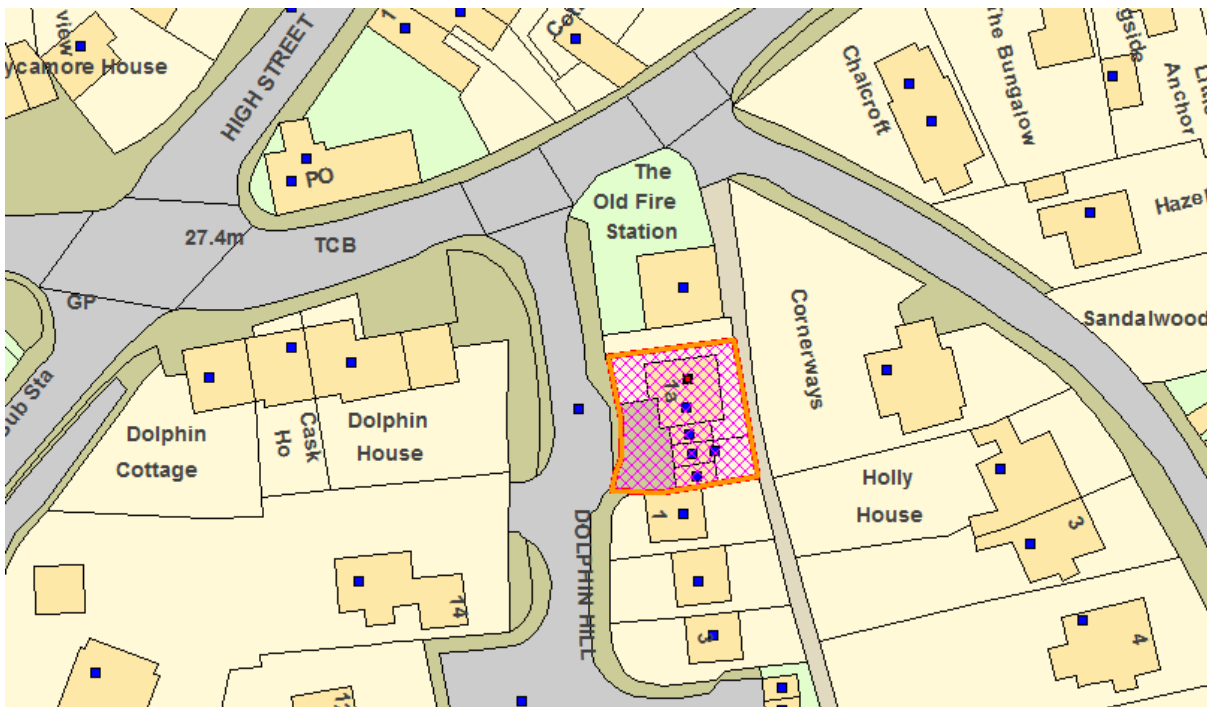
I would also like to call it in for committee decision and request to speak if WCC recommends approval. I would like the school's difficulties with this site to be taken into account- I will be speaking as a councillor and in my role as an LA co-opted governor.

I know that Cllr Prince also wishes to speak on the application.

Kind regards

Cllr Jackie Porter

Case No: SDNP/18/05355/FUL
Proposal Description: Demolition of existing garages and construction of two semi detached 1.5 storey houses
Address: Flat 1A The Old Police Station, Dolphin Hill, Twyford, Hampshire, SO21 1PU
Parish, or Ward if within Winchester City: Twyford
Applicants Name: Mr Derek Steele
Case Officer: Mrs Sarah Tose
Date Valid: 16 October 2018
Recommendation: Application Approved



General Comments

This application is reported to the Planning Committee as Winchester City Council New Homes Team is the applicant and representations have been received contrary to the Officer's recommendation.

1 Site Description

The application site is located within the settlement boundary of Twyford in a small cul de sac of 14 dwellings accessed from the Hazeley Road. The building itself is a flat roofed single storey building with attached flat roofed

garages. It was formerly used as a police station. The building is utilitarian in appearance with hardstanding to the front. The building occupies the site with little outdoor space.

A footpath runs along the rear boundary which is defined by a low dwarf wall and mature evergreen planting along the adjacent boundary. The site is on rising land (north to south). Dolphin Hill consists of both two storey dwellings and bungalows. To the south side of the site there are detached two storey dwellings. To the north is the Old Fire Station, a two storey building now in use as a dentist. Other residential development is located to the west of the site on Dolphin Hill and to the east on Roman Road, on the opposite side of the footpath.

The boundary of Twyford's Conservation Area runs along the west side of Dolphin Lane, excluding Dolphin Hill. The site lies within South Downs National Park.

2 Proposal

The proposal seeks to demolish the single storey former police station building and the adjacent garages and erect two 2 bedroom semi-detached affordable properties.

The dwellings would be two storeys in height with the first floor accommodation provided within the roof space. The plans originally proposed dormer windows in both the front and rear roof slopes but amended plans have been received omitting the rear dormers and the application has been re-advertised.

3 Relevant Planning History

SDNP/13/00483/FUL - Change of Use from Police Station (Use Class Sui Generis) to Residential (Use Class C3) forming 1 no. three bedroom dwelling and 1 no. one bedroom dwelling. STATUS: WDN 23rd May 2013.

SDNP/13/01767/PRE - Convert the house into residential use. STATUS: PRE 10th July 2013.

SDNP/14/01732/FUL - Change of use from vacant police house to 1 no. three bedroom dwelling. STATUS: APP 15th May 2014.

SDNP/14/01733/FUL - Change of use from police station annexe building to 1 no. one bedroom dwelling. STATUS: APP 15th May 2014.

SDNP/18/00258/PRE - Demolish 1A Dolphin Hill and the adjacent garages to create two 2 bedroom semi-detached dwellings. STATUS: PRE 22nd February 2018.

4 Consultations

Parish Council Consultee

The Parish Council have no objection to the plans. However, the Parish Council request that the housing is allocated to residents with a link to the Parish, and the Council request the qualification used to assign housing in Hewlett Close is applied to allocate this housing.

WC - Drainage Engineer

Further details required regarding surface water drainage. Apply condition.

WC - Winchester Highways

No objection, subject to conditions

WC - Landscape

No objection

5 Representations

3 representations have been received raising objections to the application (original plans) for the following reasons:

- Additional housing will exacerbate the ongoing parking problem.
- Loss of privacy.
- Loss of visual amenity.
- Development will stand on higher ground and overlook 1 Roman Road (Cornerways) and its garden.
- No sections showing relationship of development and Cornerways.
- Overdevelopment of the site.
- Very small amenity space proposed.
- Cannot rely on boundary hedge being retained to protect neighbour's amenity.
- Development should be re-designed to provide roof lights to the rear instead of dormer windows.

Following the submission of amended plans, a further 2 representations have been received- 1 supporting the application for the following reasons and 1 providing comments on the revised plans:

Support:

- Thoughtful and sympathetic building design.
- Would enhance and improve the look of Dolphin Hil.
- Provide new and valuable supported housing for those in the village who need it most.
- For too long the empty garages and disused Police Station (Annexe) have given our immediate locale too much of an 'industrial look' and let the area down.
- Exciting and innovative design for the two houses can only transform Dolphin Hill for the betterment of all who live here.

Comments:

- The removal of the two dormer windows and replacement by three velux style lights is a considerable improvement and helps to reduce the concerns on loss of privacy.
- In our conversation on site and your subsequent telephone call, we noted that you intended to place a requirement for maintaining the tree screen on the rear boundary of the development site to not less than existing height and a further requirement for any future replacement to be of evergreen species of not less than 3m height on planting. We have measured the current height of the tree screen which is about 4m and ask if you would amend the minimum replacement height to 4m.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Winchester District Local Plan Review (2006) and the following additional plan(s):

- Winchester District Local Plan Part 1 Joint Core Strategy (2013)
- South Downs National Park Local Plan - Submission 2018

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

National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

7 Planning Policy

Relevant Government Planning Policy and Guidance

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

National Planning Policy Framework (NPPF)

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

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

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

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF. The following policies of the Winchester District Local Plan Review (2006) are relevant to this application:

- H3 - Settlement Policy Boundaries
- DP3 - General Design Criteria
- DP4 - Landscape and the Built Environment
- T2 - Development Access
- T4 - Parking Standards

The following policies of the Winchester District Local Plan Part 1 Joint Core Strategy (2013) are relevant to this application:

- MTRA3 - Other Settlements in the market Towns and Rural Area
- CP2 - Housing Provision and Mix
- CP11 - Sustainable Low and Zero Carbon Built Development
- CP13 - High Quality Design
- CP16 - Biodiversity
- CP19 - South Downs National Park
- CP20 - Heritage and Landscape Character

The following policies of the South Downs National Park Local Plan - Submission 2018 are relevant to this application:

- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD25 - Development Strategy

Partnership Management Plan

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

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

- General Policy 1

The Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the Winchester District Local Plan 2006**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

8 Planning Assessment

Principle of development

The site lies within the settlement boundary of Twyford where the principle of new housing is considered acceptable, subject to compliance with planning policy. The loss of the former police station use has been accepted under previous planning permissions.

Scale, design and layout

The development would provide two small 2 bedroom affordable units each with a floor area of 82m². The proposal would accord with policy CP2 that requires the majority of new dwellings to have 2 or 3 bedrooms. The site lies on rising land and is highly visible from Hazeley Road to the south. The pair of dwellings is simple in form, with low eaves, pitched roofs and gable ends to reflect the prevailing character of the area. The first floor accommodation would be provided entirely within the roof space with two dormer windows provided to the front elevation, which are considered proportionate in scale and would not appear dominating in the roof slope.

The height of the proposed dwellings step down Dolphin Hill, with the proposed ridge heights and eave line reducing in height with the existing ground levels. Natural materials comprising clay roof tiles and a red stock brick are proposed which are considered acceptable and have been secured by recommended condition 3.

The outdoor amenity space for the two dwellings is limited; however there would be sufficient space for bin storage, a small garden shed and patio/lawn areas for future occupants to sit outside so this is not considered to be a significant issue that would warrant the refusal of planning permission. It is also acknowledged that not all people require large gardens and as the site lies in a rural location there is easy access to the surrounding countryside for future occupants to enjoy.

In summary, the scale, design and layout of the proposed development is considered acceptable.

Impact on the South Downs National Park

Policy CP19 requires development to be in keeping with the context and setting of the landscape of the National Park. It is considered that new residential development in this location would be in keeping with the existing character of the area and the proposal would enhance the appearance of the site as the existing buildings have limited architectural merit. It is therefore considered that the scheme would result in a positive impact on the landscape character and natural beauty of the National Park.

Each dwelling has a small front garden to the entrance of each property. A Landscaping Scheme has been submitted providing details of 3 planting beds to the front of the development which is considered acceptable by the Council's Landscape Officer. Condition 7 is recommended to secure such details.

The South Downs National Park is a designated International Dark Sky Reserve. Condition 10 is therefore recommended to ensure that details of measures to reduce light spillage from the proposed roof lights are submitted for prior approval, to protect the dark nights skies of the Park.

Highways/parking

A Transport Supporting Statement has been submitted which includes the results of a Parking Survey, which was requested by the Highway Engineer at pre-application stage. The Highway Engineer has confirmed that the proposal does not contain any significant highway issues and is unlikely to impact on highway safety. Sufficient space has been provided on site to park 2 vehicles for each dwelling which would accord with the Council's adopted parking standards. The scheme also retains the use of the layby fronting the site which is predominantly used by local residents.

The Owner and Manager of Twyford Stores are concerned that additional housing will exacerbate the ongoing parking problems in the area. However, sufficient on-site parking is proposed and the existing layby will be retained so the development should not materially affect the existing parking situation.

Neighbour amenity

The Old Fire Station building to the north is in a commercial use so the proposed dwellings are not considered to adversely affect the amenities of its occupants.

No.1 Dolphin Hill lies to the south of the site so is unlikely to be affected in terms of overshadowing impacts. A first floor bedroom window is proposed on the south elevation of dwelling 1B which would face towards the side of No.1. There are no windows in the side elevation of this neighbouring property. Views from the proposed window to the neighbour's garden would be on an oblique angle and is therefore not considered to cause such significant overlooking that would warrant the refusal of planning permission. As the

development would be set at a lower level than No.1, it would not have an overbearing impact on this neighbouring property.

The original plans included 2 rear dormer windows to the proposed bedrooms which were considered to result in an unacceptable level of overlooking to the neighbouring property 1 Roman Road (Cornerways) located to the east of the site, on the other side of the footpath. Amended plans have been received which have omitted the dormers and replaced them with high level roof lights to address Officer concerns. The existing evergreen planting along the rear boundary is to be retained (secured by condition 9) which would screen views from the proposed ground floor windows and rear gardens.

In summary, the development is therefore not considered to cause any significant harm to local residential amenity in terms of overlooking, overshadowing or overbearing impacts.

Trees

It is proposed to remove 2 trees from the rear (eastern) boundary of the site; one from within the existing evergreen hedge and another at the southeast corner to allow for the construction of a new retaining wall and patio area for dwelling 1B. An arboricultural report has been submitted which confirms that the trees to be removed are of a low category because of their poor condition or small size. Their loss will have no long term detrimental impact on the present character of the area. 3 replacement trees are proposed along the southern part of the eastern boundary which the Council's Landscape Officer considers appropriate.

The Tree report does not consider that there is a need for tree protection within the site as the existing retaining wall behind dwelling 1A will protect the roots of the evergreen hedge that is to be retained, and the existing boundary fencing and public footpath will act as suitable protection to trees on adjacent land.

The proposed development is therefore not considered to have an unacceptable or adverse impact on the long-term vitality of the retained trees.

Ecology

A Phase I Ecological Survey has been submitted which concludes that no habitats of ecological importance have been identified on site. There is also limited potential for usage of the site by notable and/or legally protected species. Therefore the site is considered to be of a limited ecological value. A number of ecological enhancements have been recommended to enhance the site's ecological value which have been secured by recommended condition 13.

Drainage

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk overlain by head deposits. The proposal for foul water drainage is to drain to the main sewer, which is the most sustainable option. The Council's Drainage Engineer has requested that further details

regarding the surface water drainage proposals are secured via condition (recommended condition 6).

Sustainability standards

In March 2015 the Government announced updates to its policy on housing standards and zero carbon homes. These affect the Council's implementation of LPP1 Policy CP11. While policy CP11 remains part of the Development Plan and the Council still aspires to achieve its standards for residential development (Code for Sustainable Homes Level 5 for energy and Level 4 for water), Government advice now sets a maximum standard of 110litres/day for water efficiency and the equivalent of Code Level 4 for energy. Therefore, for applications determined after 26 March 2015, Local Plan policy CP11 will be applied in compliance with the maximum standards set out in Government advice. Conditions 11 and 12 are recommended to ensure that the new dwellings meet these standards.

9 Conclusion

The application is considered acceptable for the reasons outlined above and is recommended for approval.

10 Reason for Recommendation and Conditions

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

3. The development shall be carried out in accordance with the Proposed External Material Schedule (ref 28057 Rev A).

Reason: To protect the character and appearance of the area which is a National Park in accordance with Policies CP13 and CP19 of the Joint Core Strategy 2013.

4. The proposed access and drive, including the footway crossing shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

NOTE A licence is required from Hampshire Highways Winchester, Bishops Waltham Depot Botley Road, Bishops Waltham, SO32 1DR prior to commencement of access works.

Reason: To ensure satisfactory means of access.

5. Before the development hereby approved is first brought into use, a minimum of two car parking spaces per dwelling shall be provided within the curtilage of the site and thereafter maintained and kept available.

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

6. No development shall be carried out until detailed proposals for the disposal of foul and surface water are submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before development commences.

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

7. The proposed landscaping and replacement planting shall be carried out in accordance with the approved Landscaping Scheme Schedule and drawing 28057- PD103A unless otherwise agreed in writing with the Local Planning Authority.

All landscape works shall be carried out in accordance with the approved details. The soft landscaping shall be carried out in the first planting season following the occupation of the dwellings or the completion of the development 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. Hard landscaping works shall be completed prior to the occupation of the relevant dwellings.

Reason: To enhance the character and appearance of the area which is a National Park and to mitigate the loss of trees from within the site which contribute to the character of the area, provide a habitat for wildlife and provide some screening of the development from neighbouring properties.

8. No development above slab level shall be carried out until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation.

Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To preserve the setting of the adjacent listed building and to protect the landscape character of the South Downs National Park in accordance with Policies CP20 and CP19 of the Joint Core Strategy 2013.

9. The evergreen hedge along the eastern boundary of the site shall be retained and maintained. If any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, other evergreen species of the same size (approximately 4 metres in height) 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 protect the amenity and privacy of the adjoining residential properties.

10. The dwellings hereby permitted shall not be occupied until details of measures to reduce light spillage from the proposed roof lights (such as low transmittance glass or automatic black out blinds) have been submitted to and approved in writing by the Local Planning Authority. The measures shall be installed and operated in accordance with the approved details and retained thereafter at all times.

Reason: To minimise light intrusion in the South Downs National Park which is a designated International Dark Sky Reserve.

11. No development shall take place above slab level until detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwellings meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

12. Prior to the occupation of the dwellings hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that the dwellings meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord

with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

13. Works shall be carried out in accordance with the specific recommendations set out in Section 7 of the Eco Support Phase 1 Ecological Survey (dated April 2018), unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to secure adequate ecological enhancement, including with regards to protected species in accordance with policy CP16 of the Joint Core Strategy 2013.

Informatives:

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

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
Winchester District Local Plan Review (2006): H3, DP3, DP4, T2, T4
Winchester District Local Plan Part 1 - Joint Core Strategy (2013): MTRA3, CP2, CP11, CP13, CP16, CP19, CP20
South Downs Local Plan Submission (2018): Policies SD4, SD5, SD8, SD25

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.
- In this instance a site meeting was held with the applicant's agent and amended plans were received to address Officer concerns regarding overlooking to the neighbouring property.

4. 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.

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.

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>

6. 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.

11. Crime and Disorder Implications

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

12. Human Rights Implications

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

13. Equality Act 2010

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

14. Proactive Working

Amended plans have been submitted to address Officer concerns regarding overlooking to the neighbouring property 1 Roman Road.

Plans Referred to in Consideration of this Application

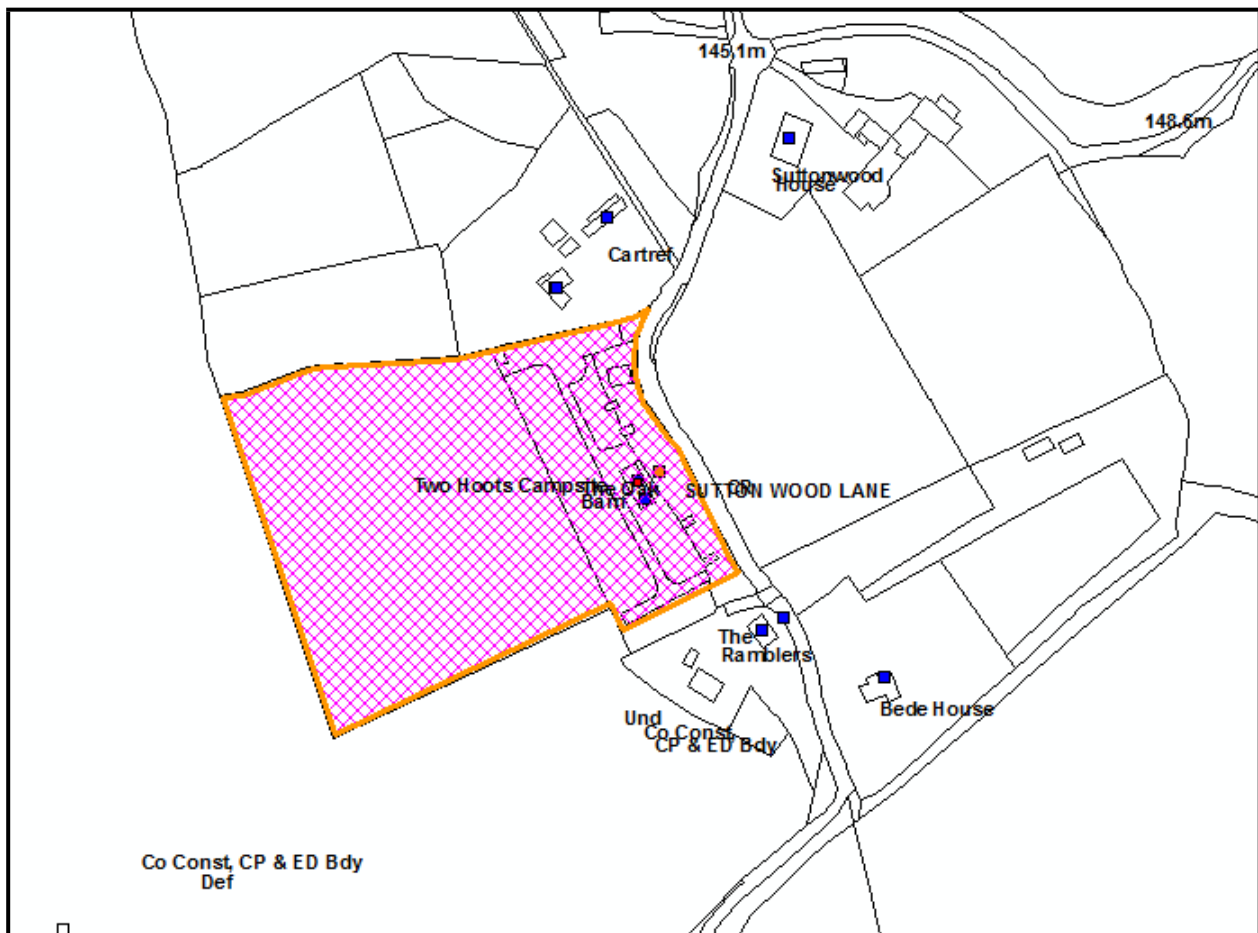
The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - EXISTING LOCATION & SITE PLANS	28057-PD 100		16.10.2018	Approved
Plans - PROPOSED SITE PLAN	28057-PD 101 B		16.10.2018	Approved
Plans - PROPOSED FLOOR PLANS	28057-PD102C		16.12.2018	Approved
Plans - AMENDED PROPOSED DRAINAGE PLANS	28057-PD103A		07.11.2018	Approved
Plans - PROPOSED ELEVATIONS	28057-PD201B		06.12.2018	Approved
Plans - PROPOSED ELEVATIONS	28057-PD202B		06.12.2018	Approved
Plans - PROPOSED STREET VIEW LOOKING SOUTH	28057-PD 601		16.10.2018	Submitted
Plans - UTILITIES & TOPOGRAPHICAL DETAILS	UTILITIES & TOPOGRAPHICAL DETAILS		16.10.2018	Submitted
Plans - COMPARISON OF RIDGE HEIGHT	Comparison of ridge height		14.12.2018	Approved
Plans - PROPOSED SECTION	2805 - PD301	A	14.12.2018	Approved
Plans - PERMEABLE AREA COMPARISON	2805 - PD111		14.12.2018	Approved
Plans - TREE PROTECTION PLAN	18151-BT1		16.10.2018	Approved
Miscellaneous - LANDSCAPING SCHEME SCHEDULE			07.11.2018	Approved
Miscellaneous - PROPOSED EXTERNAL MATERIALS SCHEDULE	28057	Rev A	07.11.2018	Approved

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

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 18/02331/FUL
Proposal Description: Change of use from existing barn building with permanent warden accommodation to residential use and erection of toilet & shower block (amended).
Address: Two Hoots Campsite, The Oak Barn Sutton Wood Lane Bighton SO24 9SG
Parish, or Ward if within Winchester City: Bighton
Applicants Name: Mr David Parham
Case Officer: Alexander Strandberg
Date Valid: 6 November 2018
Recommendation: Application Refused



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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments:

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

Site Description

Two Hoots is a campsite located to the southeast of Bighton on the eastern boundary of Winchester District. The site is accessed from Sutton Wood Lane, where a gravel track leads to car parking on site and the main reception building that currently houses permanent warden accommodation, an office and the toilets and shower rooms.

The site comprises largely of an open grass field, with views of White's wood and open fields to the west. On the northern boundary of the site, there are two Shepherd's Huts, while there are four camping pods on the eastern boundary adjacent to the main reception building.

The area is rural in character, being surrounded by open fields to the west and east. To the north and south of the property there are a number of residential dwellings.

Proposal

The application concerns the change of use of the main barn style reception building with permanent warden's accommodation and toilet blocks to residential accommodation. It further seeks to erect a separate toilet and shower block to the north of the main building adjacent to the gravel track leading to the car parking spaces.

Relevant Planning History

09/02070/FUL - 4 no. Timber framed pod structures: Ancillary utility block to provide ground floor toilet, shower, laundry, communal room facilities with 3 bay garaging/secure storage for the holding and first floor admin office, create access within site and other associated works (RESUBMISSION). Permitted: 17.03.2010.

10/02200/NMA - (MINOR AMENDMENT to Planning Permission 09/02070/FUL) 4 no. Timber framed pod structures: Ancillary utility block to provide ground floor toilet, shower, laundry, communal room facilities with 3 bay garaging/secure storage for the holding and first floor admin office; Move part of the rear wall out but keeping it within the footprint of the building; Change positions of door and window. Permitted:

11/00302/NMA - (MINOR AMENDMENT to Planning Permission 09/02070/FUL) 4 no. Timber framed pod structures: Ancillary utility block to provide ground floor toilet, shower, laundry, communal room facilities with 3 bay garaging/secure storage for the holding and

Case No: 18/02331/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

first floor admin office; Alterations to fenestration; re-positioning of 1 pos. Permitted: 07.03.2011.

13/02171/FUL - Change of use to 5 touring pitches and 10 tents, addition of 2 no. shepherds huts and erection of a storage shed/barn. Permitted: 22.11.2013.

13/02782/FUL - Change of use of part of campsite building to warden/managers accommodation. Permitted: 11.02.2014.

15/00269/NMA - (MINOR AMENDMENT to Planning Permission 13/02782/FUL Change of use of part of campsite building to warden/managers accommodation) Alterations to rooflights and addition of bath to wardens/managers accommodation. Permitted: 05.05.2015.

Consultations

WCC Engineers: Drainage:

- The site is within Flood Zone 1 and is at very low risk of surface water flooding.
- The addition of new toilets and showers is not sustainable and would potentially increase emptying frequency.
- Surface water drainage should be provided for the new building.

WCC Engineers: Highways:

- The application does not appear to include any significant highway implications, therefore there are no objections.

Southern Water Engineer:

- The applicant is advised to consult the Environment Agency directly regarding the use of a cess pit.
- There are no public surface water sewers in the area. Alternative means of draining surface water from this development are required.

WCC Economy, Arts and Tourism Team:

- Development is in line with the economic strategy's vision to encourage business opportunities and jobs.
- MTRA4 supports proposals that reuse rural buildings for employment and tourist accommodation or the redevelopment facilitates the expansion of on-site established businesses.
- Winchester District has a lack of camping accommodation; we are unable to offer camping enquiries a choice of accredited accommodation so we need to support the business offering this type of experience.
- The business is a member of the Destination Management Partnership and is advertised in the South Downs Visitor Guide. They are also accredited by WCC Visit Winchester and the Hear of Hampshire Assessed Accommodation.
- The business is known for its green credentials and is award winning.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Representations

Bighton Parish Council:

- No objections

8 Letters from 8 addresses received supporting the application for the following reasons:

- The ongoing success of the business
- Makes the campsite more sustainable
- Right to a good quality of life
- Benefits to the local economy
- The site requires year round accommodation for on site management and maintenance
- Requires minimal alterations
- Helps the business grow

Relevant Planning Policy

Winchester Local Plan Part 1 – Joint Core Strategy

- MTRA4 – Development in the Countryside
- CP8 – Economic Growth and Diversification
- CP13 – High Quality Design

Winchester Local Plan Part 2 – Development Management and Site Allocations

- DM10 – Essential Facilities and Services in the Countryside
- DM11 – Housing for Essential Rural Workers
- DM13 – Leisure and Recreation in the Countryside
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM23 – Rural Character

National Planning Policy Guidance/Statements

National Planning Policy Framework 2018

Planning Considerations

Principle of development

The application site is outside of a defined settlement boundary and is therefore within the countryside under development plan policies.

In this area, policy MTRA4 (Development in the Countryside) of the Local Plan Part 1 allows proposals which have an essential or operational need for a countryside location. The policy also permits proposals for the reuse of existing rural buildings for employment,

Case No: 18/02331/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

tourist accommodation, community use or affordable housing as well as the expansion or redevelopment of existing building to facilitate the expansion on-site of an established business or to meet an operational need.

It has been established in the course of assessing the proposal that on-site accommodation is considered to have previously facilitated the expansion of the business of the Two Hoots campsite as well as having met an operational need. This has been achieved through the granting of planning permission for warden accommodation on site within a previous application, 18/02331/FUL. As warden accommodation currently exists on site, to cater for customer demands and emergencies, this residential operational requirement has already been met. The change of use is therefore not considered to constitute a further operational need as defined within policy MTRA4.

Furthermore, as the change of use to residential cannot be permitted for the reasons set out above, the erection of a separate toilet block would not be considered to meet an operational need. As the toilet block still exists as part of the main building on the site, there is no operational need to move it providing the proposed change of use is refused.

Impact on character of area and residential amenity of neighbouring properties

The property is located outside a defined settlement boundary and as such, the area surrounding the application site is rural in character. The proposed change of use would largely involve internal development; the impact upon the change from a barn style building to residential accommodation would have no significant impact upon the character of the surrounding area in accordance with DM23 As the building currently houses permanent warden accommodation, it would also be unlikely that the proposed change of use would have any detrimental impact upon the residential amenity of neighbouring properties.

The proposed toilet/shower block would be constructed using timber cladding and a green corrugated steel pitched roof. These materials would reflect the rural setting of the property as well as the architectural design of the existing buildings on the site. The property is bounded to the north, east and south by tall vegetation and to the west by open fields.

The proposed development would be screened from Sutton Wood Lane and from neighbouring properties. As such, the proposed shower/toilet block would not result in any unacceptable adverse impacts on adjoining properties by reason of overlooking, appearing overbearing or by loss of light.

Recommendation

Planning permission is refused for the following reason:

1. The proposal is considered to be contrary to the Council's Spatial Strategy for new housing and policy MTRA4 of the Winchester District Local Plan Part 1 Joint Core Strategy as it would represent an undesirable additional dwelling for which there is no overriding

Case No: 18/02331/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

justification in an area of countryside. In addition the proposal is considered to be contrary to policies DM10 and DM11 of the Winchester District Local Plan Part 2 in that the proposed change of use to residential does not provide for an essential facility or service to serve a local community nor does it support an existing agricultural activity whereby an operational and functional need would be met.

Informatives

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

WD Local Plan Part 1 (2013): DS1, MTRA4, CP8, CP13

WD Local Plan Part 2 (2017): DM10, DM11, DM13, DM15, DM16, DM17, DM23

02 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;

- updating applicants/agents of any issues that may arise in the processing of their application.
- In this instance the applicant was updated of any issues after the initial site visit.

REPORT TITLE: CONFIRMATION OF TREE PRESERVATION ORDER 2228 –
LAND AT WHITELEY LANE, FAREHAM

10 JANUARY 2019

PORTFOLIO HOLDER: Councillor Caroline Brook, Portfolio Holder for Built
Environment

Contact Officer: Stefan Kowalczyk Tel No: 01962 848210 Email
skowalczyk@winchester.gov.uk

WARD(S): WHITELEY AND SHEDFIELD

PURPOSE

To consider confirmation of Tree Preservation Order 2228 to which two letters of objection have been received.

RECOMMENDATIONS:

1. That having taken into consideration the representations received, Tree Preservation Order 2228 is confirmed.

IMPLICATIONS:1 COMMUNITY STRATEGY OUTCOME

- 1.1 The confirmation of this Tree Preservation Order (TPO) will contribute to the High Quality Environment outcome of the Community Strategy by maintaining the environmental quality and character of the area.

2 FINANCIAL IMPLICATIONS

- 2.1 There are no financial implications for the City Council at this stage. Compensation is potentially payable only where sufficient evidence has been provided by an applicant to support an application to carry out works to the protected tree and where that application is refused.

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 EQUALITY IMPACT ASSESSMENT

- 6.1 There has been two letters of objection to the TPO which are summarised in this report.

7 DATA PROTECTION IMPACT ASSESSMENT

- 7.1 None Required

8 RISK MANAGEMENT

Risk	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 N/A</i>		
<i>Legal N/A</i>		
<i>Innovation N/A</i>		
<i>Reputation N/A</i>		
<i>Other</i>		

9 SUPPORTING INFORMATION:

- 9.1 This matter comes to Planning Committee because two objections to making the TPO have been received.
- 9.2 The Council received a notification of works being carried out to trees at Whiteley Lane, Whiteley in January 2018.
- 9.3 A site visit was undertaken by a Council tree officer to establish the possibility of serving a TPO on the trees that line Whiteley Lane. It was clear that some of the trees had recently had their entire canopies removed, although the stems were still standing. The remaining untouched trees were deemed suitable for a TPO.
- 9.4 The works that had been undertaken had a significant impact on the trees in terms of their health and public visual amenity. As it was likely that the remaining trees were under threat, and as they also had high public visual amenity it was deemed necessary to serve a TPO on the remaining trees now subject to this TPO.
- 9.5 There were two letters of objection to the provisional TPO 2218.
- 9.6 TPO 2218 has lapsed. A new provisional TPO, 2228, was made on 6 August 2018. The two letters of objection for TPO 2218 remain valid.
- 9.7 If TPO 2228 is not confirmed it will expire on 5 February 2019.

Summary of Objection Letters

- 9.8 One letter of objection to TPO 2218 was submitted on 11 February 2018 and directly objects to T4, T5 and G1 of the TPO. No other trees within the TPO were referred to in this objection.
- 9.9 The objector expresses concern that “these trees overhang their garden in a dangerous and threatening way.”
- 9.10 The TPO will restrict them in “trying to make the trees safe” and that the trees currently restrict them from enjoying part of their garden because “some of the limbs are diseased and dead.”
- 9.11 Concern is raised over the ownership of the land on which the trees subject to TPO 2218 are located. The objector specifically raises concern in relation to where liability would rest in the case of injury or damage.
- 9.12 The objector states that the “trees have not been maintained for over 20 years and that they not have large heavy limbs that sometimes break off”.
- 9.13 The objector states that with some maintenance, the trees “would be greatly improved and less of a danger”.

- 9.14 Objection letter two objects to the entire TPO 2218 and was submitted on 23 February 2018.
- 9.15 In particular the objection expresses concern over not knowing who owns the land.
- 9.16 They are also concerned that no maintenance has been undertaken in the “past 10 years (since they have lived there) which has led to excessive ingress into their land and their neighbours land due to overhanging branches.” This lack of maintenance “goes against the amenity benefit of the local area”.
- 9.17 Making a TPO will make it even more unlikely that the trees will be managed appropriately, the lane will not benefit local amenity and will become “unwelcome, dark and overall much less desirable locality.”
- 9.18 The objectors say that the trees have caused issues to their property and that of their neighbours, such as:
- a) Leaves and acorns blocking guttering and drains causing flooding and damage to their property.
 - b) Regular vermin issues due to excessive leaf build up.
 - c) Reduction in light due to overhanging branches.
 - d) Numerous seedling growth in their laws, flower beds, cavities and drains.
 - e) Patios and outbuilding being coated in green mould due to a reduction in light, this renders the surfaces slippery and extremely unsafe.
- 9.19 The objectors consider that the ingress of branches into their property affects their rights as property owners to peacefully enjoy their property.
- 9.20 The objectors considers that the work already undertaken benefits and “enhances the local area by allowing more light into the lane and has therefore made it more open and encouraging for pedestrians and vehicles alike.”
- 9.21 Before the works were undertaken, the Council Refuse Lorry and other large vehicles were unable to readily access the lane due to height restrictions.
- 9.22 The trees cause damage to the telegraph lines that runs through the locality by rubbing the lines in windy weather.
- 9.23 The objector also requests that the current works be completed rather than left in their current state, believing that the “unfinished” works have created a “false image” of the works and their relationship with the surrounding area. In that sense, the objector believes that the works undertaken to date have “brought significant amenity benefit to the local area.”

Summary of Support Letter

9.24 There are no letters of support received for confirmation of TPO 2228.

Arboricultural Officer's Response

9.25 Government guidance states that “orders should be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public.”

9.26 Amenity is not defined in law, however on this occasion the officer made a visual assessment and subsequently undertook a Tree Evaluation Method for Preservation Orders (TEMPO) assessment. The results of the TEMPO assessment are as follows:

Condition & suitability for TPO	Good	Highly suitable	5 points
Retention span (in years)	100+	Highly suitable	5 points
Relative public visibility & suitability	Large trees, or medium trees clearly visible to the public	suitable	4 points
Other factors	Tree groups, or principle members of groups important for their cohesion	N/A	4 points
Expediency assessment	Immediate threat to tree	N/A	5
Total			23 points awarded – Definitely merits TPO.

- 9.27 The trees form an integral part of the street scene and make a significant contribution to the amenity value of the area. The TEMPO assessment has been used as a guide in deciding whether to serve a TPO or not. The results of which confirm that the trees are of sufficient public benefit and public visual amenity value to be protected from a TPO.
- 9.28 The TPO does not prevent maintenance or the pruning of overhanging branches from being carried out, as long as the Council receives a valid application which justifies the works requested. Neither does the TPO prevent the removal of low limbs that are causing an obstruction to the highway.
- 9.29 A Land Registry search shows that title to the land is unregistered and therefore the Council does not know who owns the land.
- 9.30 Many of the tree related problems highlighted in the objection letters, for example, leaves, vermin, reduction in light, seedling and moss growth are not sufficient reason to warrant removal of the trees. Similarly these reasons do not justify any significant remedial works that would result in a significant reduction to the amenity value that they currently present.
- 9.31 The Secretary of State's view is that the higher amenity value of the tree or woodland and the greater any negative impact of proposed works on amenity, the stronger the reasons needed before consent is granted.
- 9.32 In the decision of the Court of Appeal in *Perrin v Northampton BC* it was considered that carrying out works to a tree covered by a TPO requires no application if the works are to prevent or abate a nuisance. There is however considerable uncertainty as to the correct interpretation of the phrase "prevention or abatement of a nuisance". It may be interpreted in this case as "only where the encroachment of B's tree onto A's land actually causes damage-such as overhanging branches shading A's crops or encroaching roots damaging the foundation of A's house." (Mynors, *The Law of Trees, Forest and Hedges*, Second Edition.)
- 9.33 In light of the point above, 9.32, and the case in hand, the recommending officer is of the opinion that the nuisances highlighted in the objectors' comments do not constitute a nuisance in law. Therefore these reasons should not warrant the removal of the trees now subject to this provisional TPO.
- 9.34 The works that were undertaken prior to this TPO being made have significantly affected the trees' contribution to local public amenity. So much so that those trees that have had work undertaken are no longer worthy of protection and they are unlikely to survive for more than 5 years. Therefore they have not been included in this TPO. However, the remaining trees are still worthy of protection hence this TPO.
- 9.35 As previously highlighted, works to abate a nuisance such as damage to telegraph lines can be dealt with without the requirement for a TPO

application. It does however remain up to the owner of the telegraph lines to maintain the lines appropriately.

- 9.36 The unfinished works that are highlighted in one of the objection letters, “chipping mounds, felled branches and generally unfinished works” can be completed without an application if they do not require the removal of live material from any tree subject to a TPO. If however they do require the removal of live material from a tree subject to TPO an application can be submitted to the Council.
- 9.37 The trees subject to this TPO are deemed to be of significant amenity value within the local area, are under threat and any issues in relation to the trees’ impact on neighbouring properties can be discussed with the Council’s tree officers and potentially dealt with through a TPO application or as an exemption in the case of abating a nuisance or removing deadwood.

BACKGROUND DOCUMENTS:-

Previous Committee Reports

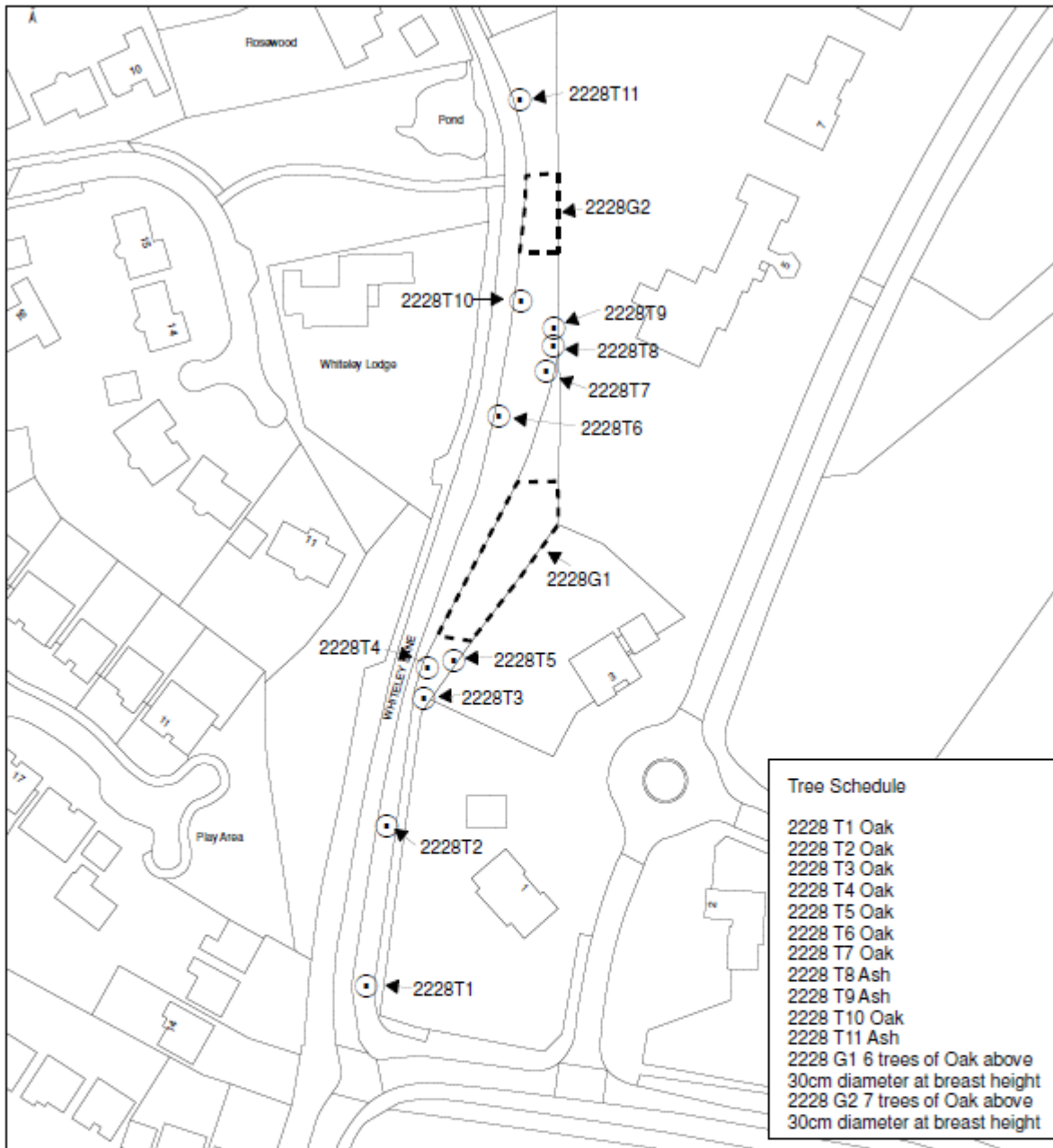
Report PDC1112 – Planning Committee 26 July 2018

Other Background Documents:

None

APPENDICES:

Appendix 1 Plan



- A1 Area
- G1 Group
- W1 Woodland
- T1 Tree

TOWN AND COUNTRY PLANNING ACT 1990
Section 198 - 201

Tree Preservation Order No. 2228

Location: Land at Whiteley Lane
Titchfield
Fareham
Hampshire

OS Grid: 4629

Scale: 1:1000 @ A4

Date : 27 July 2018



Winchester
City Council

Director of Operations
Winchester City Council
POBox 497, City Offices
Colebrook Street
Winchester
Hampshire
SO23 9DD

Telephone 01962 840 222
Fax 01962 841 365

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