



<b>Meeting</b>	Planning Committee
<b>Date and Time</b>	Thursday, 14th March, 2019 at 9.30 am.
<b>Venue</b>	Walton Suite, Guildhall, Winchester

## AGENDA

### PROCEDURAL ITEMS

#### 1. **Apologies and Deputy Members**

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

#### 2. **Disclosures of Interests**

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

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

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

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

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

#### 4. **Minutes** (Pages 9 - 14)

Minutes of the previous meeting held on 14 February 2019.



Public speaking is allowed on individual planning applications, subject to certain restrictions – please contact the Public Speaking Co-ordinator as soon as possible, but **prior to 4.00pm Tuesday 12 March 2019**, on (01962) 848 339 to register to speak and for further details.

## BUSINESS ITEMS

	<b>Report Number</b>	<b>Ward</b>
5.	Where appropriate, to accept the Update Sheet as an addendum to the Report.	
6.	Planning Applications - WCC items 7 - 10 (PDC1128)	
7.	The Old Parsonage Care Home, Main Road, Otterbourne (Case number: 18/02063/FUL) (Pages 15 - 32)	Badger Farm & Olivers Battery
8.	The Old Parsonage Care Home Main Road Otterbourne (Case number: 18/02064/LIS) (Pages 33 - 42)	Badger Farm & Olivers Battery
9.	Land At St Swithuns Church, London Road (case number: 18/01978/FUL) (Pages 43 - 60)	The Worthy's
10.	Cemetery, Hoe Road, Bishops Waltham (Case number: 18/02844/FUL) (Pages 61 - 66)	Bishops Waltham
11.	Planning Applications - WCC Items 12 and 13 (PDC 1128 and Update Sheet refers)	
	<b>The following items will not be considered before 2.00pm:</b> (Depending on the Committee's progress, some of the morning's items may overrun into the afternoon session. Nevertheless, the following items will not be considered <u>before</u> 2.00pm).	
12.	Abbeygate, 42 Quarry Road, Winchester (Case number: 18/02385/FUL) (Pages 67 - 86)	St Michael

13. Friarsgate, Medical Centre, Friarsgate,  
Winchester (Case number: 19/00174/AVC)  
(Pages 87 - 94)

St Michael

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.



6 March 2019

Agenda Contact: Dave Shaw, Principal Democratic Services Officer  
Tel: 01962 848 221 Email: [dshaw@winchester.gov.uk](mailto:dshaw@winchester.gov.uk)

*\*With the exception of exempt items, Agenda, reports and previous minutes are available on the Council's Website [www.winchester.gov.uk](http://www.winchester.gov.uk)*

## **MEMBERSHIP**

**Chairman:** Ruffell (Conservative)

**Vice-Chairman:** Read (Conservative)

### **Conservatives**

Cunningham  
McLean  
Berry

### **Liberal Democrats**

Clear  
Evans  
Izard  
Rutter

## **Deputy Members**

Huxstep and 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](mailto:democracy@winchester.gov.uk) to ensure that the necessary arrangements are in place.

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## PLANNING COMMITTEE

14 February 2019

Attendance:

Councillors

Ruffell (Chairman)

Berry

Clear

Cunningham

Evans

Izard

McLean

Read

Rutter

Others in attendance who addressed the meeting:

Councillor Weir

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### 1. MINUTES

RESOLVED:

That the minutes of the previous meeting of the Committee held on 10 January 2019 be approved and adopted.

### 2. PLANNING APPLICATIONS SCHEDULE (Report PDC1126 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 PDC1126.

Councillor Rutter declared that in respect of item 12 (Lower Farm, School Lane, Headbourne Worthy) she was a member of Headbourne Worthy Parish Council. She had not discussed or voted on this item when it was considered by the Parish Council and as she had not predetermined the application, she would speak and vote on this item.

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

Item 7: Erection of 1no. two bedroom dwelling  
15 Silwood Close, Winchester  
Case number: 18/01986/FUL

The Head of Development Management referred Members to the Update Sheet which set out an addition of condition 15 which read:

‘Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.’

During public participation, Deborah Willsher and Kim Blunt spoke in objection to the application and Jeremy Tyrell, Agent, spoke in support and answered Members’ questions thereon.

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

In summary, Councillor Weir stated that:

- There was not a Neighbourhood Design Statement or Plan for the Berewecke Road area and as there was a lack of designated housing sites it led to infill applications.
- It was a small site, with the development “shoe-horned in” next to the pavement and represented over development.
- There was an accumulative effect of development on road safety.
- It needed to be ensured that the beech tree was not put at risk.
- Potential problems with road safety from the access at peak times.

At the conclusion of debate, the Committee resolved to refuse permission in accordance with policies DM15, DM16 and DM17, as the quantum of development would appear cramped in the street scene and it was out of character with the prevailing character of the area. The precise wording was delegated to the Head of Development Management in consultation with the Chairman.

Item 8: Approved summer house revised site location in extended rear garden

63 St Cross Road Winchester

Case number: 18/02549/HOU

During public participation, James Bone spoke in objection 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 that an additional condition be included to the effect that no lighting should be installed without first submitting details to the Local Planning Authority for approval.

Item 9: Variation of condition 6 (08/02712/FUL) extension of opening hours.  
4 De Lunn Buildings, Jewry Street, Winchester.  
Case number: 18/02661/FUL.

During public participation, Zac Gurtekin, Ian Tait and Phrynnette Dickens spoke in objection of the application and answered Members' questions thereon.

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

Item 10: Car Park with landscaping and new access from Worthy Road  
Land At St Swithuns Church, London Road, Headbourne Worthy  
Case number: 18/01978/FUL

This item was not considered at this meeting and was deferred to the next meeting of the Committee.

Item 12: Conversion to a dwelling  
Lower Farm, School Lane, Headbourne Worthy, Winchester  
Case number: 18/02679/FUL

The Head of Development Management referred Members to the Update Sheet which set out that the Tree Officer had withdrawn his objection following investigation into the root area of the Horse Chestnut to the west of the outbuilding. Therefore paragraph 2 of the Landscape and trees section was amended to read:

'The landscape plan shows the removal of a number of smaller trees by the access, track and parking area. The loss of these smaller trees is considered to be acceptable. There is a significant Chestnut to the west of the outbuilding noted as T3 Horse Chestnut in the Arboricultural Impact Assessment (AIA) that has a root protection area within the proposed excavation area, it is considered that this tree does not have a TPO served on it and is not readily visible in the street scene. While the loss of the tree would be lamentable it is not considered to have a high amenity value in the street scene for its loss to warrant a refusal reason.'

In addition, the Ecologist comments, last sentence should read: 'The Ecologist raised no objection subject to conditions requiring the measures set out in the Ecological Assessment be followed'.

During public participation, Sam Chisnell spoke in objection to the application and Gimma Macpherson, Kings Worthy Parish Council, and Richard Osborn, Agent, spoke in support and answered Members' questions thereon.

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

Item 13: (Retrospective) Use of existing detached outbuilding as 'granny' annexe for family accommodation ancillary to the main dwelling. Orchard Gate, Lordswood, Highbridge  
Case number: 18/02332/HOU

The Head of Development Management referred Members to the Update Sheet which stated that Condition 02 should read as follows:

'The residential accommodation hereby permitted, as shown in drawing No. 02\_ Revision B, shall be occupied in association with the dwelling house or shall be used for the purposes ancillary to the dwelling house (Orchard Gate). At no time shall the building be occupied as an independent planning unit of residential accommodation, business, commercial or industrial purpose.'

During public participation, Maggie Hill, Colden Common Parish Council spoke in objection to the application and Mrs S Rayner spoke in support and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission as the development was tantamount to a new dwelling in the countryside and was contrary to policy MTRA4. The precise wording was delegated to the Head of Development Management in consultation with the Chairman.

RESOLVED:

1. That the decisions taken on the Development Control Applications in relation to those applications outside the area of the South Downs National Park be agreed as set out in the decision relating to each item, subject to the following:
  - (i) That in respect of item 7 (15 Silwood Close) permission be refused in accordance with policies DM15, DM16 and DM17, as the quantum of development would appear cramped in the street scene and it was out of character with the prevailing character of the area. The precise wording was delegated to the Head of Development Management in consultation with the Chairman.
  - (ii) That in respect of item 8 (63 St Cross Road) permission be granted for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet and an additional condition be agreed to the effect that no lighting should be installed without first submitting details to the Local Planning Authority for approval.

(iii) That in respect of item 13 (Orchard Gate, Lordswood, Highbridge) permission be refused as the development was tantamount to a new dwelling in the countryside and was contrary to policy MTRA4. The precise wording was delegated to the Head of Development Management in consultation with the Chairman.

3. **CONFIRMATION OF TREE PRESERVATION ORDER 2235 – WATER LANE, BISHOPS SUTTON, ALRESFORD**  
(Report PDC1125 refers)

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2235 be confirmed.

4. **CONFIRMATION OF TREE PRESERVATION ORDER 2233 – LAND AT PITT MANOR COTTAGE, KILHAM LANE, WINCHESTER**  
(Report PDC1127 refers)

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2233 be confirmed.

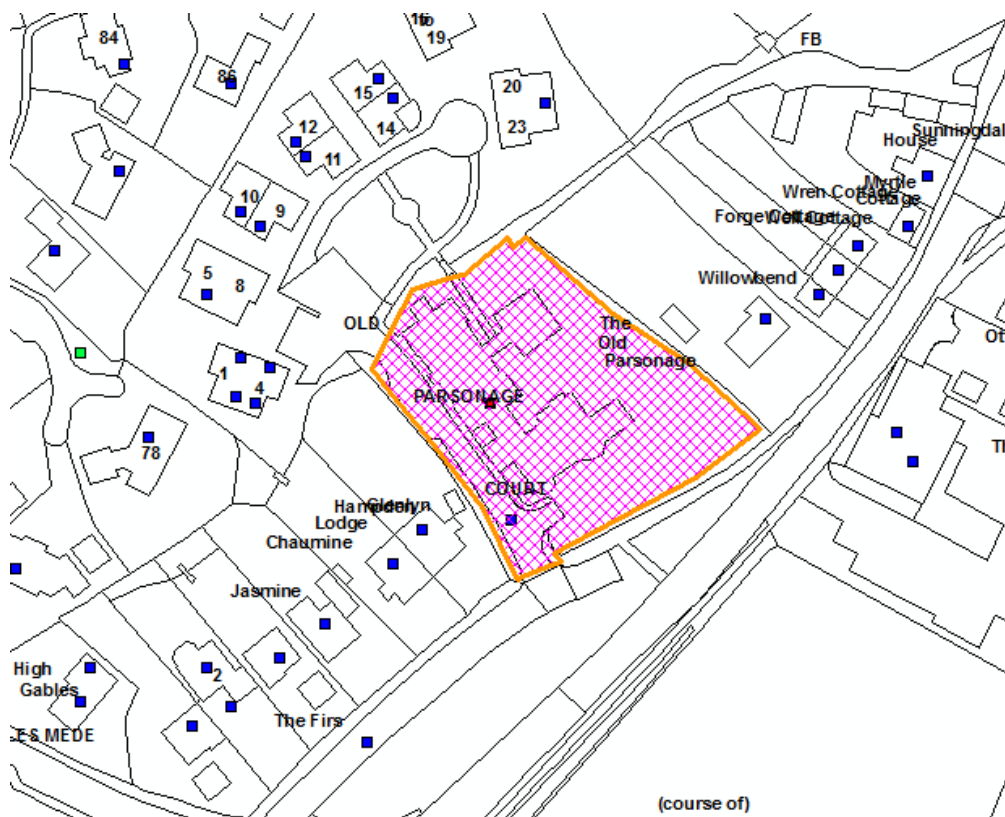
The meeting commenced at 9.30am and adjourned between 12.10pm and 2.00pm and concluded at 4.10pm.

Chairman

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## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 18/02063/FUL  
**Proposal Description:** Refurbishment and re-development of The Old Parsonage Care Home to provide 16No. close care apartments with associated welfare and staff facilities. The proposals include the demolition of the 1980's additions, the erection of a new 2.5 storey building with single storey wing to the rear of the site and the re-ordering of the listed building.  
**Address:** The Old Parsonage Care Home Main Road Otterbourne SO21 2EE  
**Parish, or Ward if within Winchester City:** Otterbourne  
**Applicants Name:** Carole Sawyers  
**Case Officer:** Verity Osmond  
**Date Valid:** 6 September 2018  
**Recommendation:** Permit



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**General Comments**

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

Revised plans were received and accepted on 15<sup>th</sup> February 2019. The amendments include a new façade treatment for the south west gable elevation with the addition of larger openings to improve the design of the building. The alterations also include a flat roof over the central balconies with standing seam metal covering. The projecting balconies from the outermost north and south apartment have been replaced with Juliet balconies.

The amended plans also include a change to the elevational treatment of the south east and north west elevations of the multi-use activity space to differentiate itself from the apartment blocks. The bin storage area has been amended by replacing the timber enclosure with Yew hedging to improve its relationship with, and to soften the appearance of the listed building.

The tarmac area from the site entrance has been extended up to the main parking area to increase the turning area and reduce noise for Glenlyn.

A re-consultation has not been undertaken on the revised plans, as the amendments are considered to be minor changes given the overall scale of the development, that are not significant enough to warrant a further consultation period.

**Site Description**

The application site is located within on the western side of Main Road, Otterbourne, with access to site from a short road serving six other properties via Coles Mede. The Old Parsonage is a Grade II listed building which has been in use as a nursing home by Brendon Care since 1984, but is now currently vacant following the relocation of the existing residents to a new care home situated within Otterbourne Hill.

The listed building is constructed in square knapped flint with quoins and bandings, and is built in a characteristic Hursley style with distinctive octagonal chimney shafts, intricately carved bargeboards, canted bays with carved brackets and a projecting panelled gable end to the east elevation.

The listed building has been significantly extended to the north west, with a 1980's extension currently attached to rear of the listed building. The care home provides 28 bedrooms of accommodation, with 22 close care apartments located to the north of the site within Old Parsonage Court.

There is a shallow chalk stream running from the south west to the north east of the site, marking the boundary between the nursing home and close care apartments. The site benefits from substantial tree screening from Main Road, with more mature trees within the north east and north west corners of the site.

**Proposal**

**Case No: 18/02063/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

The application has been submitted for the refurbishment and redevelopment of The Old Parsonage Care Home to provide 16 close care apartments with associated welfare and staff facilities. The proposals include the demolition of the 1980's additions, the erection of a new 2.5 storey building with a single storey wing to the rear of the site and the re-ordering of the listed building.

The 16 close care apartments will be provided between the listed building and new close care apartment block; the buildings will be in C2 use class which is the same as the existing.

Access to the site will remain unchanged by the proposal.

### **Relevant Planning History**

07/00149/FUL (PER 22.01.2007) Erection of 4 no. two storey extensions to house lifts for flats 1-4, flats 5-8, flats 16-19 and flats 20-23 buildings

90/00503/OLD (PER 26.03.1990) Internal alterations

87/00518/OLD (PER 12.01.1987) Demolition of garage, partial demolition in service wing and internal alterations; erection of two storey and single rear extensions, 16 flats, 8 bungalows and guest flat, construction of roads and car parks

86/00540/OLD (PER 16.10.1986) Elderly persons accommodation comprising- Two storey rear extension to provide 20 bedsitting rooms common room and ancillary accommodation erection of 16 flats 8 bungalows and guest flat

83/00498/OLD (REF 19.08.1983) Erection of nine dwellings

81/00550/OLD (PER 30.07.1981) Erection of two storey extension to provide 12 bedrooms, 1 flat and 1 flatlet

78/01408/OLD (PER 04.09.1978) Change of use from residential to rest home for elderly persons

### **Consultations**

Engineers: Drainage: No objection to application subject to conditions.

The site is within Flood Zone 1, with areas of surface water flood risk at the perimeter of the site. The geology is clay, silt and sand.

The site is within Source Protection Zone 1; however it is served by a foul sewer which is the most sustainable foul drainage system.

Surface water is to drain to existing soakaways, subject to inspection. It should be anticipated that the soakaways will not be constructed to current standards, and all new roof areas should drain to soakaways designed for the 1 in 100 year storm event plus an allowance for climate change.

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Infiltration tests and ground water levels should inform the design. Hard standings should be permeable where possible. Works close to a main river may require an environmental permit from the EA.

Southern Water: Request further information to be secured via condition

Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

It may be possible for some initial dwellings to connect pending network reinforcements. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required. Conditions 7 and 15 secure this.

Engineers: Highways: No objection subject to condition

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

Historic England: A consultation was undertaken with Historic England, a response was provided stating that they had no comments to provide on the application.

Head of Strategic Planning:

The applicant is an experienced care provider who will accept tenants who are over 65 and who need care. The layout is designed to incorporate a significant amount of communal living space and treatment rooms which would not be expected if the use were C3.

However looking at the accommodation it is fully self contained and capable of being used independently by anybody so it might be sensible to tie up the use by way of a S106 agreement. Part of the reason for this is that whilst our policy CP3 (LPP1) asks for 40% of all housing that increases the supply of housing to be provided as affordable housing unless it renders the scheme unviable the revised NPPF (para 64) exempts specialist accommodation such as purpose built accommodation for the elderly from providing affordable housing so it would be important to ensure that it does remain a C2 use.

The applicant has submitted case law to support this view. The use of the building is further discussed in the assessment of principle below.

Environmental Health:

Environmental Protection has no adverse comments to make concerning this application. It is recommended that consideration be given to the inclusion of a condition requiring the submittal of a Construction Management Plan. This is secured via condition 8.

Head of Trees:

There is no objection to the application on tree grounds. The only partly sensitive area will be the potential for level changes around T3 and T4, this however, with appropriate

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engagement and supervision from the Tree Consultant can be resolved and conditions are recommended as below.

Head of Ecology:

No objection subject to conditioning a Biodiversity Mitigation and Enhancement Strategy (BMES) to include the recommendations in the report, with the exception of the locations of where EPS licences are needed *i.e.* demolition of the 1980's roof structures under ecological supervision is not acceptable. A bat EPS licence must be obtained for both the listed and the 1980s buildings. The BMES should also include recommendations for management of the mitigation and enhancement measures. It should be submitted prior to any demolition or construction taking place.

A draft EPS licence should be submitted prior to any demolition or construction taking place.

Design Review Panel (Meeting 16/10/18): Supportive of scale, mass and design of the proposal.

The application is commended on its well thought out approach and the design rationale is well explored. The decision to physically separate the new building is a valid way of dealing with a listed building. There are subtle connections between the new and existing elements which are celebrated in the intricate detailing of the new building. The brick detailing, in particular, is a good response in dealing with a building situated next to a listed building.

The two storey element of the new building is comprised of two longitudinal bars, the outer bar could have a little more detail to give it more character to relate back to listed building better.

The panel is aware of the Conservation Officer's comments regarding the preference of a pitch roof on the single storey element of the scheme, but feel a flat roofed form would aid the composition.

It was also thought that the linking elements between the two rear blocks should be minimal to accentuate the division and facilitate the through view (omitting the pitched roof and masonry).

Historic Environment

No objection

**Representations:**

Otterbourne Parish Council:

- No comment

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

- Overlooking impact of new close care apartment block on neighbour amenity

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- Insufficient parking provision
- Flooding
- Increased traffic generation and impact on highway safety
- Design out of character with the surrounding area
- Over supply of care homes in the area
- Overbearing impact of new close care apartment block on neighbour amenity
- Access to the site too narrow
- Impact of development on listed building
- Scale and height of development out of keeping with surrounding area

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

- Dust from development harmful to elderly residents
- Concerns over length of time development will take to build

0 letters of support received.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy:

DS1 – Development Strategy and Principles  
MTRA 3 – Other Settlements in the Market Towns and Rural Area  
CP2 – Housing Provision and Mix  
CP6 – Local Services and Facilities  
CP10 – Transport  
CP11 – Sustainable Low and Zero Carbon Built Environment  
CP13 – High Quality Design  
CP14 – The Effective Use of Land  
CP16 – Biodiversity  
CP17 – Flooding, Flood Risk and the Water Environment  
CP20 – Heritage and Landscape Character

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

DM1 – Location of New Development  
DM6 – Open Space Provision for New Developments  
DM15 – Local Distinctiveness  
DM16 – Site Design Criteria  
DM17 – Site Development Principles  
DM18 – Access and Parking  
DM29 – Heritage Assets  
DM30- Changes of Use of Listed Buildings

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

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High Quality Places SPD 2015  
Otterbourne Village Design Statement 2008

## **Planning Considerations**

### Principle of development

The application site is located within the settlement boundary of Otterbourne, where the principle of development is accepted, provided the proposal is in accordance with the relevant policies of The Development Plan and unless material planning reasons indicate otherwise.

Policy CP2 of WDLPP1 supports the provision of specialist forms of accommodation such as extra care housing for older persons across the District. The Specialist Housing for Older People in Winchester Report (2015) which helped form Winchester District Local Plan Part 2, highlights the need for a move away from providing traditional forms of housing for older persons to newer models of the specialist housing (e.g. extra care) to support higher levels of dependency and an active old age. It is considered that the proposal meets the stipulations of CP2.

In accordance with recent Case Law, it is considered the proposed close care apartments represent a C2 use class (residential institutions) rather than C3 (dwelling houses). The proposed apartments will offer accommodation with care provision to older persons over the age of 65 with the level of care response significantly exceeding that found in C3 market housing. The use of the site for C2 purposes will be secured by way of s106 agreement in order to ensure that the apartments can only be used by people in need of care. Therefore, no affordable housing contribution is proposed which is not considered to conflict with Policy CP3 of WDLPP2.

Policy CP6 seeks to retain and improve facilities and services available across the district. The proposal put forward is within the same use class as the existing facility on site, and although a different model of care is proposed, the proposal is essentially still a care facility, therefore there is considered to be no loss in local facility in accordance with Policy CP6. The care provider Brendoncare has recently completed and opened Otterbourne Hill, a 64 bedroom care centre, in which the existing residents from Old Parsonage Court have been relocated to. The proposal is not considered to result in a loss of a facility and accords with the requirements of Policy CP6.

The proposal will result in the demolition of the 1980's extension which is connected to the rear of the listed building. The principle of the demolition of this building and alterations to the listed building is supported in Historic Environment terms, provided the alterations are sensitive to the historic fabric of the listed building and that the new replacement block is sensitive to the character and setting of the listed building. The principle of these changes is accepted under Policy CP20 of WDLPP1 and DM29 of WDLPP2, further regard to this is discussed further below.

Policy CP11 requires developments to achieve the lowest level of carbon emissions and water consumption that is practical and viable. Non- residential development that requires an Energy Performance Certificate should meet BREEAM Outstanding. Following discussions with WCC building control, requiring new development to meet 'Outstanding' or 'Excellent' is extremely difficult to achieve. In line with the approach taken to recent  
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developments across the District, the new apartment block will be required to meet BREEAM 'Very Good' including at least 5 credits from the 'Outstanding' and 'Excellent' brackets. There is no requirement for this to be met with the listed building given this is an existing building which is constrained by its age and heritage significance. Conditions 6 and 14 secure these levels.

Design/layout

Policy CP13 of LPP1 expects new development to meet the highest standards of design and this is supported by the Council's supplementary planning document High Quality Places. New development should make a positive contribution to the local environment and create an individual place with a distinctive character while respecting its context and surrounding development. These requirements are re-enforced in the development management policies in LPP2.

The Old Parsonage is currently physically connected to the 1980's extension with a connecting corridor internally. This is considered to have a detrimental impact to the listed building, with the original built form and elevational treatment being obscured by these later additions.

The proposal will demolish the later extension, allowing the listed building to be viewed in its original historic built form. The new apartment block will be detached from the listed building allowing a greater degree of separation between these two elements resulting in a clear hierarchical relationship between the original and new buildings on site.

The space in-between the listed building and new block will form a new walkway, reinforcing the historical central axis through the site, visually and physical connecting all parts of the site and improving the usability of the open space for residents.

The layout and the symmetry of the listed building is reflected and interpreted in the design and layout of the new close care apartment block. The new building is designed in two separate longitudinal blocks which are linked by open walkways which encourage greater interconnectivity throughout the site. In response to comments raised by Design Review Panel, the openings on the southern elevation of the outer bar have been enlarged to give a higher quality and unapologetic finish to the overall design of the scheme and the link between the two bars has been made into a lighter element to emphasis the division between each block.

The communal activity space is located to the north east of the close care apartment blocks. The communal block is single storey in height and is constructed with a double pitched gable roof to address the concerns of the Historic Environment Officer and to keep its height to a minimum. This allows views of the roof and chimneys of the listed building when viewed from Old Parsonage Court.

The design of the scheme is contemporary in its architecture, the materials contrast with those used in the listed building, but draws on elements of the listed building to create subtle connections between the new and existing buildings by way of the intricate detailing. The overall finish results in a high quality, contemporary building which enhances the setting of the listed building. Condition 3 requires material samples to be submitted prior to the commencement of works on site.

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Impact on setting of listed building and character of area

The proposed separation of the listed building and close care apartment block is considered to be improvement to the current 1980's extension which is connected to the rear of the listed building. The rear of the listed building will be viewed in its original form better revealing its significance.

Concerns have been expressed regarding the impact on the view of the listed building when standing in Old Parsonage Court looking southwards as currently the highly decorative chimneys octagonal chimneys contribute positively to the listed buildings special interest. This view will be reduced by the new close care apartment block as it will extend further eastwards into the plot. The solid element linking the two sections of the 2.5 storey block has been reduced in the amended plans to a lighter flat roof over the central balconies with standing seam metal covering; giving greater potential for the chimneys to be seen from the Old Parsonage Court. This amendment is supported by the Historic Environment Officer.

However, as the listed building and new building are physically separated with new walkways and open space between the two, there are more views of the rear of the listed building and hence the chimneys from this location than afforded currently. This opening up of the rear of the listed building and physical separation between the two buildings is considered to be significant enough to mitigate the loss of the view of the chimneys from the rear of the site. The improvements to the listed building that are generated from this development are considered to far outweigh the loss of one view of the listed building.

The scale, mass and design of the new building and its relationship with the listed building have been assessed in detail at Design Review Panel. The physical separation of the listed building from the new development is commended and the detailing of the new building links effectively to the listed building.

In response to concerns raised in regards to the bin store and its impact on the setting of the listed building, the amended plans show the bin store broken up and screened by a yew hedge to soften its appearance.

Views of the 1980's extension are limited from the wider surrounding area, with the southern boundary of the site with Main Road offering substantial tree screening. The perceived mass and scale of the new buildings is not considered to be above and beyond that of the existing later extension to the rear of the listed building. The high quality and sensitive design of the scheme is considered to improve views into the site from the public realm. The proposal is not considered to result in significant harm to the setting of the listed building or the character of the surrounding area.

Impact neighbouring property

Concern has been expressed regarding the potential for overlooking from the new close care apartment block. The new building will incorporate the footprint of the existing 1980's extension which contains 14 windows on its western elevation, with 8 of these being at first floor level. The proposed new building will not be located forward of the existing western building line of the 1980's extension.

An extra floor is proposed within the apartment block, resulting in accommodation being  
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provided over three floors, however the overall height of the new building on the western elevation remains similar to the existing. The nearest neighbouring property to the west of the application site is Glenlyn. This property benefits from substantially screened boundaries, with a cluster of mature trees limiting views into the rear amenity space. There is over 15 metres from the proposed balconies to the useable rear amenity space to the very rear of Glenlyn, and the balconies contain fixed panels which obscure casual views to the south east and hence away from the main amenity immediately to the rear of Glenlyn. The first floor window corner opening between southern and western elevation of the outer bar of new building has been removed in response to concerns regarding overlooking to this neighbour. Condition 15 requires the timber louvres on the first and second floor balconies to be installed prior to the occupation of the new building. Condition 19 restricts the erection of any further windows on the western and southern elevations of the close care block without prior consent from the council.

The properties to the rear of the new close care building within Old Parsonage Court are located over 20 metres and there is a much greater degree of separation with nearest neighbouring property to the north east of the site. The proposal is not considered to result in significant overlooking to neighbouring amenity.

The roof of the new building is constructed with a shallow pitch to reduce the overall height of the scheme. The proposed second floor of the new building has been partially located within the roof space and the buildings have been lowered into the ground by 600mm in order to keep the ridge heights at a similar level to the existing. The communal block is single storey in height and has a double pitched gable roof to keep height to a minimum and to further break up the mass of the built form of the development.

Given the position of the new buildings within the plot, the modest increase in overall size of the new buildings compared to the existing and the sensitive design and massing of the new buildings, the proposal is not considered to result in significant overbearing or overshadowing to neighbouring amenity above and beyond the current situation.

#### Landscape/Trees

In line with Policy DM6, the proposal will create open space which is useable for elderly occupants. The scheme will improve and enhance the existing open space network within the site; the central connection between the existing close care apartments to the north west has been retained and will now extend to the listed building. A new path between the listed building and the new close care apartment block running west to east through the site will be created, providing a greater outdoor network of paths and opening up the rear of listed building to the enjoyment of occupants.

The large outside space to the north east of The Old Parsonage will be retained to serve the proposed multi-use community space with sliding folding doors opening out on both sides creating a flexible indoor/outdoor space.

There are no proposed works to trees within the site and these will be protected during the construction phase with the protective measures identified within the Arboricultural Method Statement. Conditions 10, 11 and 12 secure these protective measures.

#### Highways/Parking

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There are no proposed highway issues with the proposed development. Access to site will remain unaltered and the private drive leading to the existing close care apartments will remain. The amended plans show an extended tarmac area from the site entrance up to the main parking area to increase the turning area and reduce noise for Glenlyn.

Concerns have been raised in relation to lack of adequate parking and traffic generation. A total of 19 unallocated parking spaces including 4 disabled parking spaces will be provided, allowing for 1 space per apartment plus 3 visitor/staff spaces and a drop off point close to the central pathways and entrances.

The level of apartments and traffic generation is not considered to result in any additional significant increase over and beyond that associated with the existing 28 bedroom care home facility on site. Condition 8 requires a construction management plan to be submitted prior to commencement of works and condition 10 requires the approved parking spaces to be laid out prior to the occupation of the close care apartments.

### Ecology

Phase 1 and 2 Bat Surveys have been undertaken on site, with the existing buildings on site assessed to have high potential to support roosting bats. Eight bat species were using the site for foraging or commuting including common and soprano pipistrelles, brown long-eared bat, noctule, Leisler's bat, barbastelle, Nathusius' pipistrelle and Myotis species (likely Natterer's).

An ecological report accompanies the application, which makes various recommendations for ecological protection and mitigation which are secured via condition 12. A Biodiversity Mitigation and Enhancement Strategy to include the recommendations in the report is also required prior to commencement of works including a European Species Licence to ensure the development does not have a detrimental impact on bat species within the site.

As protected species are present on the site, the proposed development must be considered in respect of three tests including a purpose of 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'. In addition the competent authority must be satisfied that, (a) 'that there is no satisfactory alternative' and (b) 'that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'. Natural England applies the tests on a proportionate basis; thus the justification required increases with the severity of the impact on the species or population concerned. It is considered that the tests are met.

### Conclusion

The application accords with the Development Plan and the following policies: DS1, MTRA3, CP2, CP6, CP10, CP11, CP13, CP14, CP16, CP17, CP20 of Winchester District Local Plan Part 1, DM1, DM6, DM15, DM16, DM17, DM18, DM28, DM20 of Winchester District Local Plan Part 2 and The High Quality Places SPD.

The applicant has agreed to enter into a S106 Agreement to ensure that the close care apartments are in C2 use and that they can only be used by people in need of care and to ensure that the accommodation is not used simply as C3 dwelling houses. The intention for  
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this proposal is that the applicant enters into a s106 legal agreement, whereby planning obligations will ensure that occupiers are above requisite age, in need or likely to become in need of care, and that the care services are offered to meet the needs of the occupants.

Planning Obligations

In seeking the planning obligations to secure the continued use of the building for C2 purposes, the Local Planning Authority has had regard to the tests laid down in para 204 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

**Recommendation**

Application Permitted subject to the following provisions in a S106 Legal Agreement and condition(s):

Heads of Terms

- Retention of buildings for C2 use
- Employment and Skills Plan

**(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)**

**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:

Proposed Site Plan Drawing no. 7417 D01 REV D  
Close Care Housing East and West Elevations Drawing 7417\_D19 REV B  
Close Care Housing North and South Elevations Drawing 7417\_D21 REV C  
Close Care Housing East and West Elevations Drawing 7417\_D20 REV C  
Close Care Housing Roof Plan Drawing 7417\_D17 REV C  
Close Care Proposed First Floor Plan Drawing 7417\_D14 REV C  
Close Care Proposed Second Floor Plan Drawing 7417\_D15 REV C  
Close Care Proposed Ground Floor Plan Drawing 7417\_D13 REV C  
Communal Activity Space Proposed Roof Plan Drawing 7417\_D18 REV C  
Communal Activity Space Proposed Floor Plan Drawing 7417\_D16 REV C  
Proposed Sections AA and BB Drawing 7417\_D02 REV B  
Proposed Sections CC and DD Drawing 7417\_D03 REV C  
Proposed Sections EE and FF Drawing 7417\_D04 REV C

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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 slab level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the close care apartment block, communal activity space and hard surfacing 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 and the existing and to ensure the materials are of a high quality and appropriate to the setting of the listed building in accordance with Policy CP13 of Winchester District Local Plan Part 1 (2013) , DM29 of Winchester District Local Plan (2017) and The High Quality Places SPD (2015).

4. No development above slab level 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, including the proposed planting around the bin store and along pathways across the site
- schedules of plants, including tree planting, noting species, planting sizes and proposed numbers/densities where appropriate.
- details of any means of enclosure (fencing/walling) and all boundary treatments.
- details of all hard surfacing, including details of patio and terrace areas and the Cellweb cellular confinement system.

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

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

Reason: To ensure the provision, establishment and maintenance of a reasonable and useable 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.

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

6. Prior to the commencement of works a detailed report shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the new close care apartment block, hereby permitted, will achieve at minimum Very Good against the BREEAM standard, including at least 5 credits in Ene.1 (Energy Efficiency).

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.

7. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

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

8. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved by the Local Planning Authority, to include details of:

1. Construction traffic routes in the local area
2. Parking and turning of operative, construction, and visitor vehicles
3. Loading and unloading of plant and materials
5. Storage of plant and materials
6. Programme of works (including measures for traffic management)
8. Provision of boundary hoarding and lighting including construction lighting
9. Measures to protect the listed building as necessary
10. Details of measure to be taken to prevent mud from vehicles leaving the site during construction
11. The handling and management of construction waste

The development of the site and the operation of construction shall be carried out fully in accordance with the approved details during the construction period.

Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of local residents, or to existing natural features.

9. Large scale 1:20 fully annotated plans, elevations and sections of the following typical details shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development above slab level.

- Main facade windows, balconies and external staircases showing deep reveals and junctions with façades and head and sill details;
- Eaves, verges, ridges and their junctions with elevations and roof slopes;
- Details of standing seam roofs; and,
- All rainwater goods.

Development shall be carried out in accordance with the approved details.

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Reason: To ensure a satisfactory relationship between the new development and the listed building and to ensure a high quality design and finish.

10. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement, prepared by Barrie Draper of Ecourban Ltd dated August 2018 submitted to the Local Planning Authority, must be installed prior to any demolition, construction or groundwork commencing on the site and shall be retained for the duration of the works.

Reason: To protect the amenity afforded by trees in accordance with Policy DM15 and Policy DM24 of the Winchester District Local Plan Part 2 2017.

11. The Arboricultural Officer must 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 the submitted Arboricultural Implications Assessment and Method Statement, prepared by Barrie Draper of Ecourban Ltd dated August 2018.

Reason: To protect the amenity afforded by trees in accordance with Policy DM15 and Policy DM24 of the Winchester District Local Plan Part 2 2017.

12. Prior to any demolition or construction taking place, a Biodiversity Mitigation and Enhancement Strategy (BMES) shall be submitted to and approved in writing by the Local Planning Authority, to include the recommendations in the Ecological Assessment report prepared by Peachecology dated 2/8/18, with the exception of the locations of where EPS licences are needed. A bat EPS licence must be obtained for both the listed and the 1980s buildings. The BMES should also include recommendations for management of the mitigation and enhancement measures. The development and measures shall be carried out in strict accordance with the approved details.

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

### **PRE-OCCUPATION CONDITIONS**

13. The buildings hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear.

Reason: To make proper provision for off street parking.

14. Before the development hereby approved is occupied, a detailed report shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the new close care apartment, hereby permitted, will achieve at minimum Very Good against the BREEAM standard, including at least 5 credits in Ene.1 (Energy Efficiency).

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.

15. The timber louvres on the first and second floor balconies on the western elevation of the new close care apartment block, hereby permitted, must be installed in accordance  
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with the approved details, prior to occupation of the building and must be retained for the lifetime of the C2 use of the building.

Reason: To protect the amenities of neighbouring residential amenity in accordance with Policy DM17 of Winchester District Local Plan Part 2.

16. The occupation of the development is to be phased and co-ordinated to align with the delivery of sewerage infrastructure and no dwelling shall be occupied until the local planning authority has confirmed in writing, following consultation with Southern Water, that the relevant drainage works have been implemented in accordance with these approved details and that adequate wastewater network capacity is available to serve the development.

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

**OTHER CONDITIONS**

17. No Arboricultural works will be carried out to trees other than those specified and in accordance within the submitted Arboricultural Implications Assessment and Method Statement, prepared by Barrie Draper of Ecourban Ltd dated August 2018.

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

18. Any deviation from works prescribed or methods agreed in accordance with the submitted Arboricultural Implications Assessment and Method Statement, prepared by Barrie Draper of Ecourban Ltd dated August 2018, shall be agreed in writing to the Local Planning Authority.

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

19. No windows shall be erected within the southern and western elevations of the close care apartment block, hereby permitted, without the prior consent of the Local Planning Authority

Reason: To protect the amenities of neighbouring residential amenity in accordance with Policy DM17 of Winchester District Local Plan Part 2.

**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, CP6, CP10, CP11, CP13, CP14, CP16, CP17, CP20

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Winchester District Local Plan Part 2 (2017): DM1, DM6,DM15, DM16,  
DM17,DM18,DM29, DM30

Winchester District High Quality Places Supplementary Planning Document

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

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

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

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

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

For further advice 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 European Protected Species Licence pertaining to bats will be required from Natural England prior to the start of development or any preparatory works likely to impact upon them. Failure to secure the licences beforehand may lead to prosecution.

8. A draft EPS licence should be submitted prior to any demolition or construction taking place.

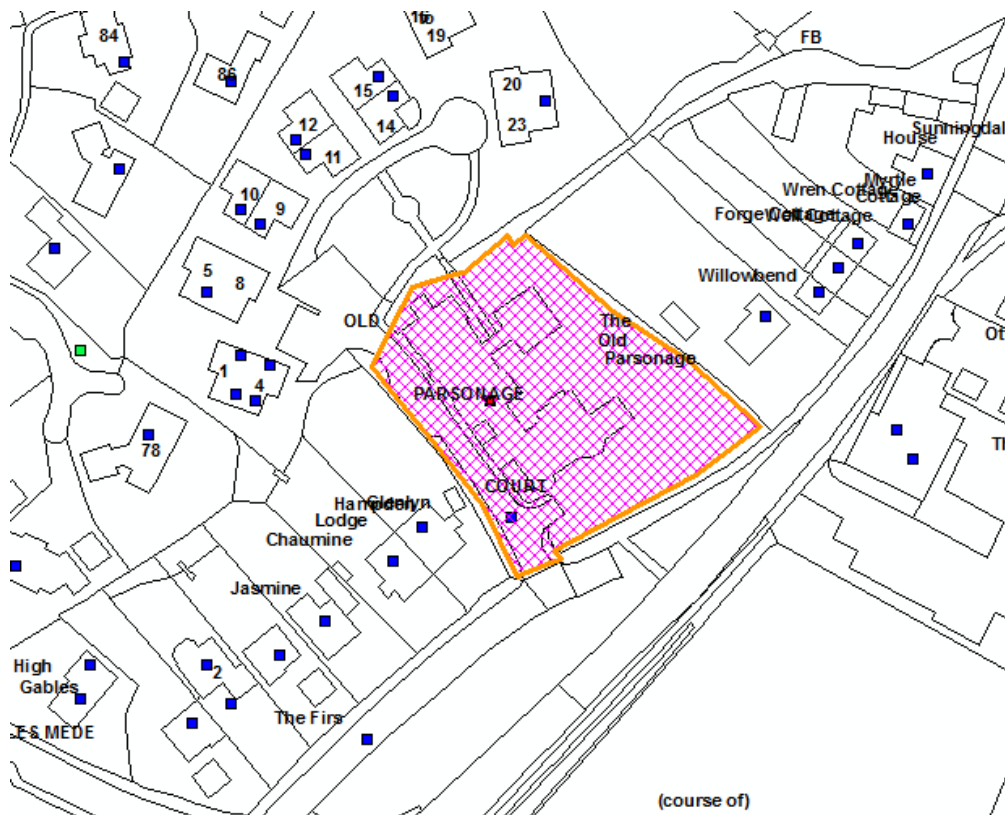
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# Agenda Item 8

## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 18/02064/LIS  
**Proposal Description:** Refurbishment and re-development of The Old Parsonage Care Home to provide 16No. close care apartments with associated welfare and staff facilities. The proposals include the demolition of the 1980's additions, the erection of a new 2.5 storey building with single storey wing to the rear of the site and the re-ordering of the listed building.  
**Address:** The Old Parsonage Care Home Main Road Otterbourne SO21 2EE  
**Parish, or Ward if within Winchester City:** Otterbourne  
**Applicants Name:** Carole Sawyers  
**Case Officer:** Verity Osmond  
**Date Valid:** 31 August 2018  
**Recommendation:** Permit



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**General Comments**

The application is reported to Committee due to the number of objections received in relation to 18/02063/FUL which are contrary to the Officer recommendation for approval.

Revised plans were received and accepted on 15<sup>th</sup> February 2019. The amendments include a new façade treatment for the south west gable elevation with the addition of larger openings to improve the design of the building. The alterations also include a flat roof over the central balconies with standing seam metal covering. The projecting balconies from the outermost north and south apartment have been replaced with Juliet balconies.

The amended plans also include a change to the elevational treatment of the south east and north west elevations of the multi-use activity space to differentiate itself from the apartment blocks. The bin storage area has been amended by replacing the timber enclosure with Yew hedging to improve its relationship with, and to soften the appearance of the listed building.

The tarmac area from the site entrance has been extended up to the main parking area to increase the turning area and reduce noise for Glenlyn.

A re-consultation has not been undertaken on the revised plans, as the amendments are considered to be minor changes given the overall scale of the development that are not significant enough to warrant a further consultation period.

**Site Description**

The application site is located within on the western side of Main Road, Otterbourne, with access to site from a short road serving six other properties via Coles Mede. The Old Parsonage is a Grade II listed building which has been in use as a nursing home by Brendon Care since 1984, but is now currently vacant following the relocation of the existing residents to a new care home situated within Otterbourne Hill.

The listed building is constructed in square knapped flint with quoins and bandings, and is built in a characteristic Hursley style with distinctive octagonal chimney shafts, intricately carved bargeboards, canted bays with carved brackets and a projecting panelled gable end to the east elevation.

The listed building has been significantly extended to the north west, with a 1980's extension currently attached to rear of the listed building. The care home provides 28 bedrooms of accommodation, with 22 close care apartments located to the north of the site within Old Parsonage Court.

There is a shallow chalk stream running from the south west to the north east of the site, marking the boundary between the nursing home and close care apartments. The site benefits from substantial tree screening from Main Road, with more mature trees within the north east and north west corners of the site.

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**Proposal**

The application has been submitted for the refurbishment and redevelopment of The Old Parsonage Care Home to provide 16 close care apartments with associated welfare and staff facilities. The proposals include the demolition of the 1980's additions, the erection of a new 2.5 storey building with a single storey wing to the rear of the site and the re-ordering of the listed building.

The 16 close care apartments will be provided between the listed building and new close care apartment block; the buildings will be in C2 use class which is the same as the existing.

Access to the site will remain unchanged by the proposal.

**Relevant Planning History**

07/00149/FUL (PER 22.01.2007) Erection of 4 no. two storey extensions to house lifts for flats 1-4, flats 5-8, flats 16-19 and flats 20-23 buildings

90/00503/OLD (PER 26.03.1990) Internal alterations

87/00518/OLD (PER 12.01.1987) Demolition of garage, partial demolition in service wing and internal alterations; erection of two storey and single rear extensions, 16 flats, 8 bungalows and guest flat, construction of roads and car parks

86/00540/OLD (PER 16.10.1986) Elderly persons accommodation comprising- Two storey rear extension to provide 20 bedsitting rooms common room and ancillary accommodation erection of 16 flats 8 bungalows and guest flat

83/00498/OLD (REF 19.08.1983) Erection of nine dwellings

81/00550/OLD (PER 30.07.1981) Erection of two storey extension to provide 12 bedrooms, 1 flat and 1 flatlet

78/01408/OLD (PER 04.09.1978) Change of use from residential to rest home for elderly persons

**Consultations**

Historic Environment – no objection see main assessment below.

**Representations:**

Otterbourne Parish Council

- No comment

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

- Overlooking impact of new close care apartment block on neighbour amenity

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- Insufficient parking provision
- Flooding
- Increased traffic generation and impact on highway safety
- Design out of character with the surrounding area
- Over supply of care homes in the area
- Overbearing impact of new close care apartment block on neighbour amenity
- Access to the site too narrow
- Impact of development on listed building
- Scale and height of development out of keeping with surrounding area

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

- Dust from development harmful to elderly residents
- Concerns over length of time development will take to build

0 letters of support received.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy:

CP13 – High Quality Design

CP20 – Heritage and Landscape Character

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

DM28 – Demolition of Heritage Assets

DM29 – Heritage Assets

DM30- Changes of Use of Listed Buildings

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

High Quality Places SPD 2015

Otterbourne Village Design Statement 2008

**Planning Considerations**

Principle of Development

The application site is located within the settlement boundary of Otterbourne, where the principle of development is accepted, provided the proposal is in accordance with the relevant policies of The Development Plan and unless material planning reasons indicate otherwise.

The principle of alterations to a listed building is accepted under Policy DM29 of WDLPP2 provided that any alterations, additions or other works affecting the special interest of a heritage;

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- retain the historic plan form and structural integrity of the building
- retain the architectural and historic features forming part of the special interest of the building
- reinforce the intrinsic character of the building through the use of appropriate materials and details;
- not harm the special interest of buildings or structures forming part of the curtilage of the heritage asset.

The proposal will result in the demolition of the 1980's extension which is connected to the rear of the listed building. The principle of the demolition of this building and alterations to the listed building is supported in Historic Environment terms, provided the alterations are sensitive to the historic fabric of the listed building and that the new replacement block is sensitive to the character and setting of the listed building. The principle of these changes is accepted under Policy CP20 of WDLPP1 and DM29 of WDLPP2, further regard to this is discussed further below.

### **Key Issues**

The preservation of the special architectural / historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policies DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policies CP20 Winchester District Joint Core Strategy; NPPF (2019) Section 16).

#### Internal alterations to listed building

The principle of the proposed alterations to the mid 19<sup>th</sup> century listed building are supported to create 4 no. 2 bed flats and demolishing the late 20<sup>th</sup> century extension. Much of the listed building's significance lies in its external architectural detailing. Internally the property has suffered from mid to late 20<sup>th</sup> century alterations through its change of use from residential to a care home. Evidence of the original planform is no longer complete. There are some internal architectural details that survive and will be retained within the proposed alterations, such as linen fold doors, the gothic inspired main staircase, curved corridor wall corners and ceilings and ceiling lanterns. The inappropriate first floor landing area partitions will be removed which will better reveal the exceptional staircase.

It is noted that each apartment will house its own space heating and hot water boiler. Details of all flues and externally visible extract vents are required. Further details are required in regards to the lift and its overrun, extract ventilation and flues, this is secured via condition.

#### Design/layout

The Old Parsonage is currently physically connected to the 1980's extension with a connecting corridor internally. This is considered to have a detrimental impact to the listed building, with the original built form and elevational treatment being obscured by these later additions.

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The proposal will demolish the later extension, allowing the listed building to be viewed in its original historic built form. The new apartment block will be detached from the listed building allowing a greater degree of separation between these two elements resulting in a clear hierarchical relationship between the original and new buildings on site.

The space in-between the listed building and new block will form a new walkway, reinforcing the historical central axis through the site, visually and physical connecting all parts of the site and improving the usability of the open space for residents.

The layout and the symmetry of the listed building is reflected and interpreted in the design and layout of the new close care apartment block. The new building is designed in two separate longitudinal blocks which are linked by open walkways which encourage greater interconnectivity throughout the site. In response to comments raised by Design Review Panel, the openings on the southern elevation of the outer bar have been enlarged to give a higher quality and unapologetic finish to the overall design of the scheme and the link between the two bars has been made into a lighter element to emphasis the division between each block.

The communal activity space is located to the north east of the close care apartment blocks. The communal block is single storey in height and is constructed with a double pitched gable roof to address the concerns of the Historic Environment Officer and to keep its height to a minimum. This allows views of the roof and chimneys of the listed building when viewed from Old Parsonage Court.

The design of the scheme is contemporary in its architecture, the materials contrast with those used in the listed building, but draws on elements of the listed building to create subtle connections between the new and existing buildings by way of the intricate detailing. The overall finish results in a high quality, contemporary building which enhances the setting of the listed building. Condition 3 requires material samples to be submitted prior to the commencement of works on site.

Impact on setting of listed building

The proposed separation of the listed building and close care apartment block is considered to be improvement to the current 1980's extension which is connected to the rear of the listed building. The rear of the listed building will be viewed in its original form better revealing its significance.

Concerns have been expressed regarding the impact on the view of the listed building when standing in Old Parsonage Court looking southwards as currently the highly decorative chimneys octagonal chimneys contribute positively to the listed buildings special interest. This view will be reduced by the new close care apartment block as it will extend further eastwards into the plot. The solid element linking the two sections of the 2.5 storey block has been reduced in the amended plans to a lighter flat roof over the central balconies with standing seam metal covering; giving greater potential for the chimneys to be seen from the Old Parsonage Court. This amendment is supported by the Historic Environment Officer.

However, as the listed building and new building are physically separated with new walkways and open space between the two, there are more views of the rear of the listed

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building and hence the chimneys from this location than afforded currently. This opening up of the rear of the listed building and physical separation between the two buildings is considered to be significant enough to mitigate the loss of the view of the chimneys from the rear of the site. The improvements to the listed building that are generated from this development are considered to far outweigh the loss of one view of the listed building.

The scale, mass and design of the new building and its relationship with the listed building have been assessed in detail at Design Review Panel. The physical separation of the listed building from the new development is commended and the detailing of the new building links effectively to the listed building.

In response to concerns raised in regards to the bin store and its impact on the setting of the listed building, the amended plans show the bin store broken up and screened by a yew hedge to soften its appearance.

Views of the 1980's extension are limited from the wider surrounding area, with the southern boundary of the site with Main Road offering substantial tree screening. The perceived mass and scale of the new buildings is not considered to be above and beyond that of the existing later extension to the rear of the listed building. The high quality and sensitive design of the scheme is considered to improve views into the site from the public realm. The proposal is not considered to result in significant harm to the setting of the listed building or the character of the surrounding area.

#### Conclusion

The proposal accords with The Development Plan and the following policies: CP20 of Winchester District Local Plan Part 1, DM28, DM29, DM30 of Winchester District Local Plan Part 2.

The proposal accords with Section 66 of the Listed Buildings and Conservation Areas Act 1990 and Section 16 of the NPPF.

#### **Recommendation**

Application permitted subject to completion of a S106 Agreement to ensure the development is maintained in C2 use and for the provision of an Employment Skills Plan.

#### Heads of Terms

- Retention of buildings for C2 use
- Employment and Skills Plan

**(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)**

#### Conditions:

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1. The works hereby consented to shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the provision of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. No works shall commence on the listed building until a full material schedule has been submitted to and approved in writing by the Local Planning Authority. The submitted schedule must specify in detail the proposed materials and methods of workmanship proposed, supplemented by labelled samples to be agreed in writing by the Local Planning Authority prior to the relevant parts of the works commencing.

Reason: Details are required prior to works commencing because insufficient detail was submitted with the application to preserve the special architectural / historic interest of the listed building and the character and appearance of the conservation area in accordance with Policies DM27, DM28, DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF 2018 Section 16.

3. No works shall commence on the listed building until full joinery details, at a scale of 1:5, including section/profile details where necessary and all types of finishes, have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding fabric. The works shall then proceed in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: Details are required prior to works commencing because insufficient detail was submitted with the application to preserve the special architectural / historic interest of the listed building and the character and appearance of the conservation area in accordance with Policies DM27, DM28, DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF 2018 Section 16.

4. All works of repair to the surrounding fabric and surfaces affected by the works hereby approved shall employ materials, traditional workmanship, and detailing, to match the existing in all respects, unless otherwise agreed in writing by the Local Planning Authority before the commencement of works on-site. The works shall then proceed in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the special architectural / historic interest of the listed building and the character and appearance of the conservation area in accordance with Policies DM27, DM28, DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF 2018 Section 16

5. No development shall commence on site before full details of any new plumbing, pipes, soil-stacks, flues, vents or ductwork have been submitted to and approved in writing by the Local Planning Authority. The works shall then proceed in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.



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Reason: To preserve the special architectural / historic interest of the listed building and the character and appearance of the conservation area in accordance with Policies DM27, DM28, DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF 2018 Section 16.

6. No development shall commence on site before full details of any new grilles, security alarms, lighting, cameras, satellite dishes or other appurtenances have been submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the special architectural / historic interest of the listed building and the character and appearance of the conservation area in accordance with Policies DM27, DM28, DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF 2018 Section 16.

7. No development shall take place until 1:10 or 1:20 details, as appropriate, including cross sections and full details of materials and finishes, to show the detail of the internal lift hereby approved and its juncture with the host building have been submitted to the Local Planning Authority.

Reason: To preserve the special architectural / historic interest of the listed building and the character and appearance of the conservation area in accordance with Policies DM27, DM28, DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF 2018 Section 16.

**Informatives:**

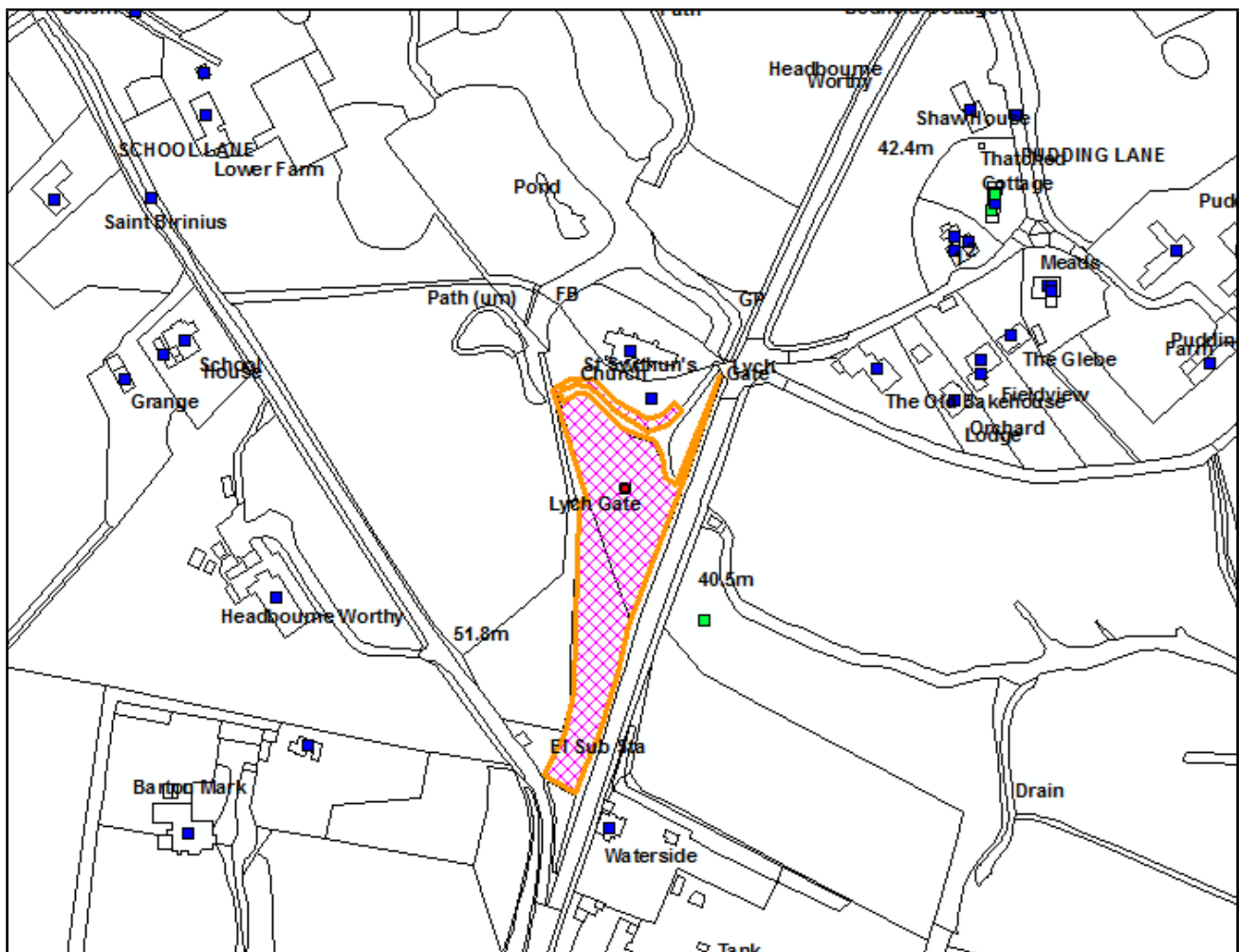
Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub contractors working on site and furnish them with a copy of the consent and approved drawings.

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# Agenda Item 9

## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 18/01978/FUL  
**Proposal Description:** Car Park with landscaping and new access from Worthy Road.  
**Address:** Land At St Swithuns Church, London Road, Headbourne Worthy, Hampshire.  
**Parish, or Ward if within Winchester City:** Headbourne Worthy  
**Applicants Name:** PCC of Headbourne Worthy and & Incumbent of the Benefice of Headbourne Worthy and Kings Worthy.  
**Case Officer:** Catherine Watson  
**Date Valid:** 20 August 2018  
**Recommendation:** Application Permitted



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**General Comments**

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

**Site Description**

The site is within the curtilage of St Swithun's Church, Headbourne Worthy, which measures a little under 2 hectares in area. The proposed car park site is situated to the south-west of St Swithun's Church, a Grade I listed building. The semi-rural setting of the church comprises of primarily mown grassland and a mix of ruderal vegetation and woodland areas, bordered by chalk streams, which create an island site for the church. There is an extended graveyard beyond the lych gate and on the hillside leading up to School Lane.

**Proposal**

There is currently no on-site parking and therefore the proposal seeks to create an on-site car park comprising 25 spaces, to be situated to the south of the church and with an access onto London Road (B3047).

**Relevant Planning History**

None relevant.

**Consultations**

Engineers: Drainage:

Earlier correspondence with the EA shows that they have confirmed the acceptability of draining through the permeable surfacing material.

Engineers: Highways:

The proposal will allow a safe onsite car park to be provided and avoid the necessity of visitors having to park in afield across the road.

Head of Historic Environment:

Although it is considered that the introduction of a car park so close to the church would be harmful to its verdant and island setting, the Historic Environment teams advice has been taken with steps to mitigate the harm. Proposed increased and replacement planting should help to mitigate some of the harm and although there will be glimpsed views of parked cars, it is considered that the 'less than significant harm' is outweighed by the public benefit of cars being able to park in a safe and permanent space for church visitors and community activities. Alternative sites have been explored and are not viable.

Should consent be granted, a condition requiring appropriate planting and its retention in perpetuity should be imposed.

Further correspondence with the applicant has confirmed that there is no intention to install lighting or gated access within the site however, a condition to restrict lighting and

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security barriers is considered to be expedient, as is a condition for securing the details and colour of the car park surfacing materials.

Head of Landscape:

The proposals have taken on board previous advice and represent a thoughtful and considered approach to the car park design. Although there is potential for harm to landscape character, ecology, trees and the setting of the listed building, the proposed landscape scheme will ensure the impact is minimised and as the landscape framework grows, the car park will settle in well. A landscape condition requiring full details of hard landscape, soft landscape and boundary treatments will be required.

Head of Landscape: Tree Officer:

This is a much better revised layout and specification and can be supported, subject to the inclusion of relevant conditions to ensure the trees are protected and retained.

Historic Environment: Archaeology:

The site lies within an area of high archaeological potential however, the proposal is not considered to affect any buried archaeological remains. It is therefore not considered that the impact of the limited groundworks would warrant conditions securing archaeological mitigation work.

Environment Agency:

No objection however, the development and associated works on site will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 for any structures in, under, over or within 8m of the top of the bank of the River Itchen, designated as a main river. Proposed fencing should allow for the free flowing of water due to the nature of flood maps within the site and it is also recommended that no ground raising occurs within the proposed site. Although digging will occur within the 8m buffer zone of the River Itchen, it is recommended that no machinery encroaches within the 8m buffer zone around the river.

Natural England:

As submitted, the application could have significant potential impacts on the River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). It could also have impacts upon the St Swithun's Site of importance for Nature Conservation (SINC). Further information is required in order to determine the significance of these impacts and the scope for mitigation. These include:

- A Construction Environment Management Plan (CEMP), which should be submitted to and approved in writing by the Local Planning Authority, in liaison with Natural England. The CEMP shall identify the steps and procedures to be implemented to avoid or mitigate impacts on species and habitats.
- A comprehensive compensation package that addresses impacts upon the SINC and outlines how net gain for biodiversity will be achieved.

The LPA has not submitted a Habitats Regulations Assessment (HRA) with the consultation request. The advice of Natural England is that the proposal is not necessary for the management of the European site. The LPA should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment

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stage where significant effects cannot be ruled out. An HRA Screening Matrix and Appropriate Assessment Statement has been completed by the LPA.

Provided the car park is constructed from permeable materials, Natural England has no concerns regarding water quality impacts on the SAC and SSSI during the operational phase. There is the concern that the construction phase of the proposals may adversely impact the protected sites via poor water quality.

To manage the potential harm, a CEMP should be submitted to and approved in writing by the district ecologist. This should address: storage of construction materials/chemicals and equipment; dust suppression; chemical and/or fuel run-off from construction into nearby watercourse(s); waste disposal; noise/visual/vibrational impacts. The CEMP shall be adhered to at all times (secured by an appropriately worded condition).

If the LPA is minded to grant permission, the applicant is required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, the authority has taken account of Natural England's advice. A further period of 21 working days must be allowed before the operation can commence.

With regards to the St Swithun's Site of Importance for Nature Conservation (SINC) and Biodiversity Net Gain, it is recommended that a comprehensive compensation package should be agreed if the requirements for biodiversity net gain as set out in the NPPF paras. 8, 118, 170, 174 and 175d are to be met. The comprehensive compensation package should expand in more detail measures already proposed in the Protected Species & SINC Survey & Mitigation Report. Such a compensation package should be agreed by the Council's ecologist officer and provided they are satisfied with this, no further consultation with Natural England on this aspect is required.

Concerning Protected Landscapes, the site is close to a nationally designated landscape (the SDNP). Relevant national and local policies should be utilised to take this into consideration.

A public right of way lies within the proposal site and consideration should be given to any potential impact on this.

It is recommended to use Natural England's standing advice with regards to Protected Species.

Historic England:

The Grade I listed church of St Swithun dates from the 11<sup>th</sup> century and was added to and altered in the following centuries. There are many significant features, notably on the west end of the nave where there is the relief of a rood, of international importance. The church was restored in the Victorian period. The setting of the church is very rural and enclosed and the proposed site contains saplings and shrubs, surrounded by mature trees and bounded by a stream to the north, the road to the east and a path to the churchyard extension to the west.

The proposal would have no direct physical impact on the listed church building and the key consideration is the impact upon the setting of the church. The character of the setting is enclosed, intimate and rural with the trees largely screening the nearby road

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from view. The introduction of a car park and parked cars is likely to have a harmful impact on the rural and undeveloped setting of the church, primarily from the intrusion of parked cars into the views to and from the church. The proposal shows that the applicant has sought to avoid or mitigate this harm as far as is practical by retaining and introducing screening in the form of planting.

The low level of harm that would remain would be outweighed by the broader heritage benefit of supporting the sustainable use of the church as a place of worship and other community activities. This would help fund the ongoing repair and maintenance of the Grade I building.

South Downs National Park Authority:

The proximity of the application site to the River Itchen SSSI/SAC (a large portion of which is located within the National Park) is of particular significance. Further information should be sought from the applicant in order to determine the potential impact upon the SSSI/SAC.

External lighting of the site should be minimised and carefully designed to ensure there is no harm to wildlife or the dark night skies of the National Park.

Hampshire County Council Countryside Services:

The rights of way in the vicinity are Headbourne Worthy Footpaths 7 and 8. It is likely that vehicles using the car park will have limited impact upon the users of the right of way.

The car park may have an impact upon the amenity value of Footpath 8 and therefore, it is requested that the car park is set back several metres from the footpath, appropriate planting and/or fencing could also be used to ensure that a pleasant aesthetic is maintained for the enjoyment of users.

**Representations:**

Headbourne Worthy Parish Council

- The PC supports this application, recognising ongoing traffic concerns and the safety of pedestrians visiting the church. The PC looks forward to the continued use of this building by the community.

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

- It is not clear how the cars will be screened;
- It will destroy the rural setting of the church;
- It is overdevelopment in a protected rural area;
- 25 spaces is excessive for a very small congregation;
- The addition of car parking in this area will make the current traffic problems on Worthy Road more difficult;
- Harmful impact upon the wider landscape character;
- Harm to biodiversity and ecology, which is particularly sensitive given the SAC and SSSI designations of the River Itchen.

8 letters of support received.

- The current parking arrangement involves crossing a dangerous, busy road;

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- Care has been taken to ensure there is no adverse impact upon the church and its setting;
- It will encourage people to visit the church;
- The current parking situation is permissive and permission to use the land could be withdrawn at any time.

2 letters of general comment received:

- It is not clear what the impact will be on ecology, landscape and visual amenity;
- Concerns for the impact on the SAC and SSSI and further information is required before the proposal could be accepted.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

DS1, MTRA1, MTRA3, CP6, CP13, CP16, CP17, CP18, CP19, CP20.

Winchester Local Plan Part 1 – Development Management and Site Allocations.

DM1, DM15, DM16, DM17, DM18, DM23, DM26, DM29

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Other Planning guidance

Winchester District Landscape Character Assessment

High Quality Places SPD

**Planning Considerations**

Principle of development

The principle of the provision of a car park on land associated with St Swithun's Church is considered to be acceptable, subject to compliance with relevant planning policy, which is discussed below.

Policy DS1 states that *"The Local Planning Authority will support development in the Market Towns and Rural Area that "promotes the vitality and viability of communities, maintains their rural character and individual settlement identity".*

As well as maintaining the use of the church as a place of worship, the proposed car park has been designed to accommodate other visitors, such as tourists and wedding parties, which would bring in additional income that could be utilised to repair and maintain the Grade I listed church and its environs, thereby helping to maintain the "rural character and individual settlement identity". The proposal is therefore considered to comply with this policy.

Policy MTRA1 advises that *"The spatial planning vision for the Market Towns and Rural Area will be achieved through:-*

- *The retention and improvement of ...community facilities, including expansion at an appropriate level in keeping with the location and the community they serve...*
- *Development proposals which maintain and enhance important local character and built or natural features and retain settlement identity".*

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The church and its curtilage are an important community facility. It is considered that the proposed car park will enhance the community aspect of the church and the proposals have been carefully considered to ensure that they fit into the landscape and ensure that the natural features of the site are protected and enhanced.

Policy MTRA4 states that “...*expansion or redevelopment of existing buildings... to meet an operational need, provided development is proportionate to the nature and scale of the site, location and the setting.*”

Although a church building does not always necessitate a countryside setting, St Swithuns has been on this site for 900 years and forms a crucial and important part of the countryside setting of this part of Headbourne Worthy. The church has a declining number of worshippers and the maintenance and repair costs for the building are significant. It can therefore be considered that an onsite car park is an “operational need” to keep the church viable, allowing it to diversify its activities and attract more visitors, whilst still maintaining the core rural character of the site. The proposed car park is considered to be proportionate to the size of the site and has been carefully designed to cause minimal visual intrusion and mitigate/reduce environmental impacts.

Policy CP6 advises “*The Local Planning Authority will support proposals for the development of new, extended or improved facilities and services in accordance with the development strategies set out in Policies WT1, SH1 and MTRA1*”.

The church is considered to be a local facility and the provision of an onsite car park will encourage visitors to the church and its environs, thereby helping to preserve the ongoing use of the church.

Policy CP13 states that “*New development...should demonstrate that:*

- *An analysis of the constraints and opportunities of the site and its surroundings have informed the principles of design and how the detailed design responds positively to its...local context;*
- *The accompanying landscape framework has been developed to enhance both the natural and built environment and maximise the potential to improve local biodiversity...*”

Investigations were undertaken by the applicant into the most appropriate location for the car park within the site and through this, the proposed site was identified. The site is situated at a lower level than the surrounding ground and the verdant nature of the boundaries ensure that the car park will be as unobtrusive as possible. No lighting is proposed and therefore, the car park would not be largely visible within the wider landscape and the South Downs National Park. Careful consideration has been given to addressing the ecological constraints, including international designations, of the site and ensuring that trees and habitats are protected and enhanced.

Policy CP18 states that *The Local Planning Authority will retain the generally open and undeveloped nature of the following defined settlement gap:*

- *Winchester - Kings Worthy/Headbourne Worthy.*

*Within these areas, only development that does not physically or visually diminish the gap will be allowed”.*

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The proposed car park will be heavily screened and it is not proposed to use any lighting in this area (to be controlled by condition). Therefore, the site will not be widely visible within the gap. A new access is proposed onto the B3047 however, given the topography of the site, adequate visibility splays can be provided with minimal need for cutting back existing undergrowth and no loss of trees. Therefore, the impact of the new access on the gap is not considered to be significantly harmful.

Policy DM1 states that *Outside defined and non-defined settlement boundaries "...countryside policies will apply and only development appropriate to a countryside location will be permitted..."*

As discussed above, the development is considered to be appropriate for the countryside location.

Design/layout

In order to keep the church in active use and avoid it falling into disrepair, the PCC considers that an on-site car park is necessary. Currently, there is permissive parking in a field on the opposite side of London Road. Permission for the use of this space could be withdrawn by the landowner at any time so this is not considered to be a sustainable solution. Further, the location of the current parking requires churchgoers to cross the busy London Road, which has a 40mph speed limit but frequently sees vehicles travelling in excess of this speed. The congregation is aging and there is a significant risk to safety in crossing the road. Other churchgoers park in nearby roads, including Pudding Lane and School Lane. These roads are relatively narrow and their use for church parking is not ideal.

The proposal is for a 25 space carpark to the south of the site, to include a Cellweb gravel reinforced surface. A detailed landscape scheme is proposed to enhance the existing tree and undergrowth cover. The layout takes into account important trees on site and is situated in a relatively sunken area, so as to appear as unobtrusive as possible.

Impact on character of area and neighbouring property

The church is situated in a relatively secluded location and therefore, it is not considered that there would be any significant impact upon neighbouring properties.

Whilst the addition of a car park in this location would be somewhat incongruous, it is considered that given the substantial level of screening within and along the boundaries of the site, including at the site of the new access and which is to be supplemented by further planting, significantly reduce the level of visual harm caused by the proposed development. The use of appropriate hardstanding will also mitigate the visual impact.

It is considered that the wider benefits of the addition of the car park, as discussed above, outweigh and limit the potential harm to the character of the area.

Policy DM15 states that *"Developments should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area. Proposals which accord with the Development Plan will be permitted where they conserve or enhance:*

- *Open areas and green spaces that contribute to the special qualities of the setting of buildings, including heritage assets;*

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- *Trees, hedgerows, water features and corridors which contribute to local distinctiveness.”*

The proposal has taken full consideration of the characteristics and constraints of the site in relation to impact on landscape character, ecology, setting of the heritage asset and other key features within the site. Care has been taken to ensure that any impact is minimised however, where the proposal is considered to have the potential to cause harm to any of these characteristics, guidance has been sought from the appropriate bodies and mitigation measures will be implemented. These will be further controlled by appropriately worded conditions.

Policy CP20 states that *“The Local Planning Authority...will support new development which recognises, protects and enhances the District’s distinctive landscape and heritage assets and their settings. These may be designated or undesignated and include natural and manmade assets associated with existing landscape and townscape character (including listed buildings). Particular emphasis should be given to conserving:*

- *Recognised built form and designed or natural landscapes that include features and elements of natural beauty, cultural or historic importance;*
- *Local distinctiveness, especially in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting”.*

Consultees have detailed the special historic and natural/ecological characteristics of the site, encompassing the listed church, River Itchen tributary and its environs. Detailed information has been provided by the applicant with regards to impact upon the heritage and natural assets and how this impact will be overcome or mitigated. Certain details have been approved by the consultees upfront (e.g. the CEMP) and appropriately worded conditions will be used to ensure that all outstanding matters relating to the potential impact of the development upon the heritage and landscape character are covered (conditions 3, 8, 9 & 10).

Policy DM23 states that *“Outside defined settlement boundaries, development proposals which accord with the Development Plan will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment.*

- *Visual – intrusion should be minimised, including the effect on...key features in the landscape, or heritage assets.*
- *Physical – developments...should avoid the loss of key features or the introduction of elements that detract from the special qualities of the place.*
- *Tranquillity – developments should not have an unacceptable effect on the rural tranquillity of the area, including the introduction of lighting or noise occurring as a result of the development, taking account of the relative remoteness and tranquillity of the location. New lighting will generally not be permitted in unlit areas...*

*Developments should not detract from the enjoyment of the countryside from the public realm or public rights of way.*

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*The volume and type 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.”*

A Landscape and Visual Site Appraisal has been submitted by the applicant, which identifies the implications and a landscape strategy for the proposed new car park.

The recommendations made in this report include the reinforcement of the wet woodland character and understorey habitat to provide low level screening of the car park; enhancement of understorey vegetation with plug planted wildflowers; river restoration techniques; long term tree management to the eastern edge; a sensitive car parking surfacing material. The WCC Landscape Officer has confirmed that the proposed landscape scheme is acceptable, but a landscape condition providing full details of this will be required (condition 3).

### Landscape / Trees

There are a number of mature trees on site which have the potential to be impacted by the development. Previous schemes have been objected to by the Council's Tree Officer and the applicant has revised the scheme to take his comments into consideration.

Policy DM16 states that *“Development which accords with the Development Plan will be permitted provided it:*

- *Responds positively to the character, appearance and variety of the local environment, within and surrounding the site, in terms of its design, scale and layout;*
- *Uses an appropriate ratio between hard and soft landscaping, having regard to the character of the area;*
- *Uses high quality materials that are attractive and durable and appropriate to the context and proposed design”.*

The surfacing of the proposed car park will be permeable, allowing surface water to slowly soak away and not overload the river system. The surfacing is appropriate with regards to reducing harmful impact to the many trees, which are an important characteristic of the site. The design of the car parking spaces has been amended, taking into account the Council's Tree Officer's earlier comments, to minimise harm to these same trees. The Tree Officer is now happy with the revised proposals and any works to and around trees on site will be carefully monitored by the use of conditions – nos 5, 6 and 7.

### Highways/Parking

Both the applicant's transport consultant and the Council's Highways Engineer have identified that the scheme presents a significant improvement to the safety of those using the church and having to cross the busy London Road. The new access and visibility splays are considered to be inline with relevant technical guidance and it is not considered that the access represents a danger to the safety of other highway users.

Policy DM18 states that *Development will be permitted which accords with the Development plan and:*

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- *Provides parking in accordance with relevant standards and the needs of the development...;*
- *Makes provision for access to the site in accordance with any highways requirements on the grounds of safety, including the provision of gateways, visibility splays, access to adopted highways and accompanying signage that may be required;*
- *Incorporates parking provision and vehicular access as part of the overall design of the scheme, including hard and soft landscaping, signage and lighting that is both necessary and of a high quality design, taking account of the character of the surrounding area.”*

A Transport Statement was submitted with the application which details the implications of the development on highway safety. The Council's Highways Engineer has confirmed that the proposal is acceptable in this regard. An extensive landscaping scheme is proposed and there will be no lighting on site.

The Statement does not give details of expected traffic movements within, to and from the car park. The Council's Highways Engineer did not raise the lack of a traffic survey as something needed addressing. Although it is expected that there will be a small increase in traffic associated with the church, much of this will be associated with activities commensurate to the use of the church, namely weddings, christenings and funerals. These already take place at the church but given the lack of on site parking, vehicles are forced to park in side roads which is not desirable. Further, the small size of the church precludes very large gatherings from taking place and therefore it is not considered that any increase in traffic would be so significant as to cause substantial harm.

No lighting is proposed for the car park.

#### ROW and SDNP

The wider church site is bordered by two Public Rights of Way (PROW) – Nos 7 and 8. Hampshire County Council Countryside Services team were consulted and advised that the proposal would have a limited impact upon these footpaths however, they advised that the car park should be set away from the footpath by several metres. Given the constrained nature of the site, it is not possible to set it away by a significant distance however, only a relatively small section of footpath runs adjacent and appropriate landscaping will be included, along with the existing vegetation and trees, to further mitigate any potential harm to the amenity of these footpaths.

Policy CP19 states that *“Development within and adjoining the South Downs National Park which would have a significant detrimental impact to the rural character and setting of settlements and the landscape should not be permitted unless it can be demonstrated that the proposal is of overriding national importance, or its impact can be mitigated”*.

The SDNPA was consulted and advised that the designated land and watercourse, along with the impact on protected species in and around the site, need to be considered and protected.

External lighting should be minimised to ensure there is no harm to wildlife or the dark night skies of the National Park. It is not proposed to include any lighting in the scheme.

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Further afield, the South Downs National Park is situated approx. 0.5km to the east of the site. The National Park Authority was consulted as part of this application but did not raise any specific concerns with regards to views into the site from the SDNP. Along the boundary to the Park runs the St Swithun's Way – a long distance footpath. The site is heavily screened both from within and by tree cover along the opposite side of London Road. Whilst there may be views toward the site from this footpath, the sunken nature of the car park and screening are considered to limit these.

Policy 26 is concerned with the potential to uncover buried archaeological remains on site. The Council's Archaeologist has stated that although the site lies in an area of high archaeological potential, the nature of the proposed works is not considered to be likely to cause any significant harm to any archaeology and has therefore not recommended any conditions requiring surveying or recording on the site.

Ecology.

It is acknowledged that the site is of high ecological sensitivity and that stringent criteria will need to be met and adhered to in order for the proposal to be acceptable. This includes compliance with national and international regulations, monitored by Natural England and the Environment Agency. Part of the required information and mitigation strategy has been submitted prior to determination however, more information will be required at post-determination stage in order for works to commence. This will be controlled by condition and the measures implemented should be adhered to in perpetuity.

Policy CP16 states that "The Local Planning Authority will support development which maintains, protects and enhances biodiversity across the District and has regard to:

- Protecting sites of international, European and national importance, and local nature conservation sites, from inappropriate development;
- Supporting habitats that are important to maintain the integrity of European sites;
- New development will be required to avoid adverse impacts, or if unavoidable ensure that impacts are appropriately mitigated, with compensation measures used only as a last resort. Development proposals will only be supported if the benefits of the development clearly outweigh the harm to the habitat and/or species".

The site includes the River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), as well as the St Swithuns Site of Importance for Nature Conservation (SINC).

The national and international significance of these designations mean that stringent criteria are applied when assessing any development that may have an adverse impact. Accordingly, Natural England was consulted as the statutory body and subsequently, further information was requested, including a CEMP. This gives detailed information as to how potential harm from construction activities will be dealt with, including to the watercourse and wildlife. This CEMP has been accepted by Natural England.

The WCC Ecologist has also accepted the CEMP and advised that implementation of the recommendations within it, along with the ecological report and mitigation report, including lighting details, should be conditioned. As is required by law, a Habitats Regulation Assessment Screening Matrix and Appropriate Assessment Statement has been completed by the LPA.

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Natural England has accepted the Appropriate Assessment submitted by the LPA and concurs with the assessment conclusions. Provided the CEMP and SINC comprehensive compensation package are fully implemented and appropriate conditions or obligations are attached to the planning permission to secure these measures, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the integrity of the European site(s).

Heritage/Archaeological Issues.

It has already been identified above that there are no significant archaeological implications of the proposal.

Policy DM29 states that *“Works which would cause an unacceptable level of harm to the...setting of heritage assets...will only be permissible...in the case of higher grade heritage assets in wholly exceptional circumstances”*. Both the Council’s Historic Environment Officer and Historic England were consulted with regards to the proposal, which is within the wider curtilage of the Grade I listed church. They have confirmed that given the nature of development, relative distance of the car park from the church and the use of appropriate screening, the benefit of ensuring that the listed building is retained in good condition and for the purpose for which it was intended, as well as a wider community use for religious and community events, outweigh any potential harm to the setting of the listed building.

Drainage and Flooding

Policy CP17 states that “The Local Planning Authority will support development which...

- Does not cause unacceptable deterioration to water quality or have an unacceptable impact on water quality (including drinking water supplies) by:-
- Protecting surface water and groundwater through suitable pollution prevention measures;”

The Environment Agency was consulted and raised no objection, but as was noted on the surface flood water map of the area, they advised the applicant that proposed fencing should allow for the free flowing of water and that no ground raising should occur within the site proposed. Necessary permits are to be obtained from the EA before works commence.

**Recommendation**

Application Permitted subject to the following condition(s):

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

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

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

Location Plan Dwg No DD189L03 received 20.08.2019

Block Plan Dwg No DD189L04 received 20.08.2018

SINC Location Map received 14.12.2018

Engineering Details Golpa Gravel Reinforcement Dwg No 501-01B received 20.08.2018

Engineering Details Proposed Car Park Dwg No 502-01C received 20.08.2018

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Engineering Details Standards Details Dwg No 501-02A received 20.08.2018  
Illustrative Landscape Sections Dwg No DD189L02 received 20.08.2018  
Tree Constraints Plan Dwg No GH1752 – 1a received 20.08.2018  
Tree Protection plan Dwg No GH1752 – 1b received 20.08.2018  
Landscape Proposal Plan Dwg No DD189L01 received 20.08.2018  
Reason: In the interests of proper planning and for the avoidance of doubt.

**Pre commencement conditions**

03. No development shall take place until full details of both hard and soft landscape works, based on strategic level plan DD189L01 by Deacon Design, 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:

- All boundary treatment (any fencing should allow for the free flowing of water, as per the recommendation of the Environment Agency);
- Hard surfacing materials for the car park (including a sample). All hard surfacing materials shall be permeable;
- existing and proposed finished levels or contours;
- means of enclosure, including any retaining structures;
- other vehicle and pedestrian access;

Soft landscaping works shall include:

- planting plans (for new trees, hedges and other planting);
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- implementation programme.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

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

Reason: To ensure satisfactory provision of surface water drainage.

05. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference Gh1752.1 written by Gwydion's tree consultancy and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: To prevent inappropriate work being undertaken to protected trees.

06. Inspection of fencing

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 Gh1752.1. Telephone 01962 848403

Reason: To prevent inappropriate work being undertaken to protected trees.

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07. Construction of special engineering under tree canopies  
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 prevent inappropriate work being undertaken to protected trees.

08. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within St Swithun's Church Car Park Protected Species & SINC Survey & Mitigation Report prepared by EPR and dated 10 August 2018 and Construction and Environmental Management Plan prepared by Ecological Planning & Research Ltd and Escher Silverman and dated 16 November 2018. The measures shall be implemented in full in accordance with the approved details and shall be monitored on an ongoing basis. If there is any variation to the CEMP during the construction process, the LPA shall be notified immediately and any variation shall be submitted to and agreed in writing by the LPA before being implemented. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To ensure that the ecological value of the site is not adversely impacted upon by the development.

09. No lighting of any kind shall be installed at any time within the car park hereby permitted within the redline area outlined in the location plan, without the prior approval in writing of the Local Planning Authority.

Reason: To protect the amenities of the wildlife and protected species on site and maintain the dark skies character of the area.

10. No security barriers of any kind shall be installed at any time within the car park hereby permitted within the redline area outlined in the location plan, without the approval in writing of the Local Planning Authority.

Reason: To protect the rural visual amenity of the wider area, in relation to the setting of the Grade I listed church building and associated curtilage.

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

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

12. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise

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agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

**Informatives:**

1.

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

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

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

2.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA3, CP6, CP13, CP16, CP17, CP18, CP19, CP20.

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18, DM23, DM26, DM29

High Quality Places SPD

Winchester District Landscape Character Assessment

3.

This permission is granted for the following reasons:

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

4.

All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays.

Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5.

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

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the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

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

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

6.

*Flood Risk Activity Permit*

Please note that this development and the associated works on the site will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Itchen, designated as a main river (as identified in the applicant's drawing numbered 502-01). This type of permit is called a 'Flood Risk Activity Permit', and was formerly known as a 'Flood Defence Consent'.

Further information can be found here:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The Applicant should email [psohiow@environment-agency.gov.uk](mailto:psohiow@environment-agency.gov.uk) with the proposal to commence the process for obtaining a permit.

7.

The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

The applicant/ agent/ developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/ confirmed by this notice.

Address is: Southern Gas Networks Plc, SGN Plant Location Team, 95 Kilbirnie Street, Glasgow, G5 8JD

Tel: 01414 184093 OR 0845 0703497

Search online at:

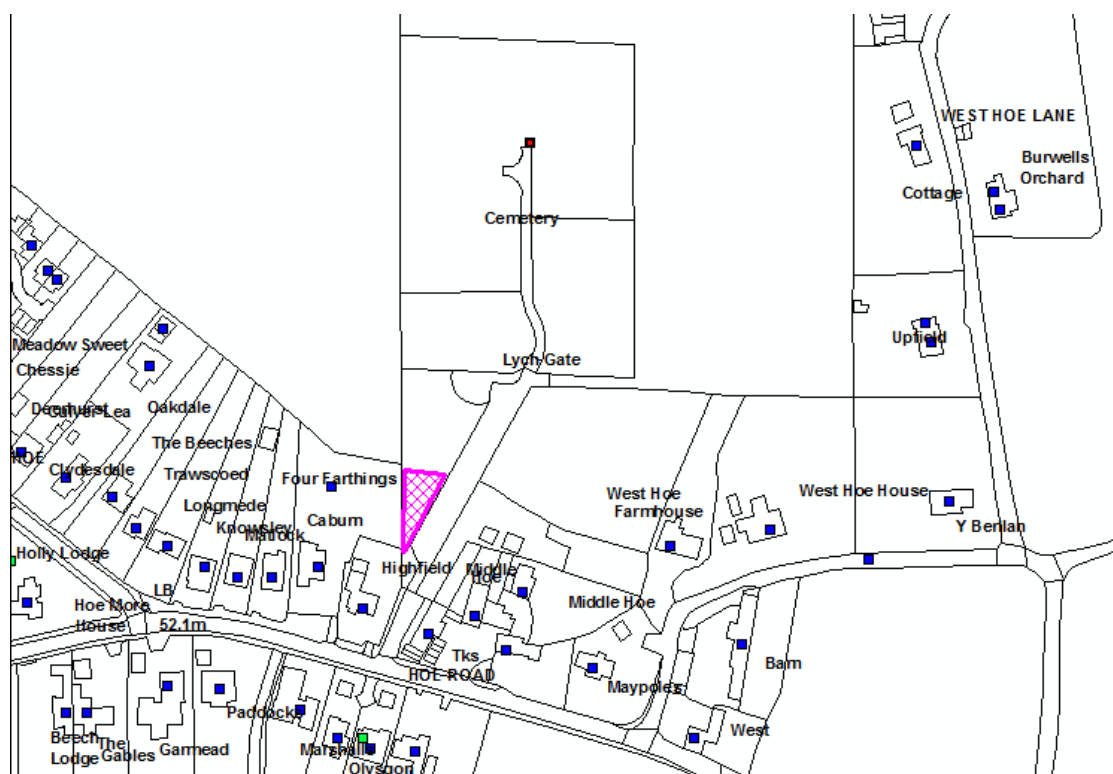
[www.linesearchbeforeyoudig.co.uk](http://www.linesearchbeforeyoudig.co.uk)

SGN personnel will contact you accordingly.

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## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 18/02844/FUL  
**Proposal Description:** Change of use of open land to a pet cemetery  
**Address:** Cemetery Hoe Road Bishops Waltham Hampshire  
**Parish, or Ward if within Winchester City:** Bishops Waltham  
**Applicants Name:** Mrs Lindsay Edge  
**Case Officer:** Lisa Booth  
**Date Valid:** 12 December 2018  
**Recommendation:** Application Permitted



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**General Comments**

**Application is reported to Committee as the number of objections, received – 9 objections from 8 different addresses**

The site area was plotted on the site plan incorrectly and an amended plan was submitted to show the extent of the land subject to the change of use application.

**Site Description**

The site is a triangular shaped grassed area of land measuring approximately 25m x 13m situated within the overall cemetery complex.

The Cemetery car park is accessed via an access road off Hoe Road. The area of land is directly adjacent to the car parking area.

The land is currently open to the car park on the eastern edge with a newly planted hornbeam hedge on the boundary. A picket fence and gate is in place along the northern boundary and trees and hedges along the western boundary. Mature hedges separate the main cemetery areas from the car park and grassed areas.

**Proposal**

The proposal is to change the use of the land for use as a pet cemetery. It will create a dedicated area for the interment of the ashes of small animals. Individual plots (50cm square) will be located in well-spaced rows, either as a simple plot or with a memorial tablet (30cm square).

**Relevant Planning History**

78/00971/OLD - Use of land as burial ground. PER 8th December 1978  
89/00480/OLD - Lych Gate. PER 27th June 1989.

**Consultations**

WCC Engineers: Highways:

It is expected that the traffic generated would be fairly low – No objections.

WCC Head of Environmental Protection (Contaminated Land):

No adverse comments

Environment Agency:

No objection

**Representations:**

Bishops Waltham Parish Council

- No comments received – Parish Council application

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10 letters from 9 different addresses received objecting to the application for the following reasons:

- Precedent will be set – no other pet cemeteries nearby.
- What would happen if full – more space would be required.
- Application is the cause of a lot of bad feeling/upsetting/morally wrong – don't feel pets should be buried with humans/not all people are pet lovers.
- Should use an alternative parcel of land, not within the cemetery grounds – pet cemetery is a specialist site.
- Bishops Waltham is a growing population – land will be needed for humans.
- Close to memorial garden.
- Will increase traffic and parking near to the gate and entrance.
- At present well kept and maintained – if not it will be visible from the road.

1 letters of support received.

- Will provide a much needed facility for pet owners in the area. While pet crematorium are available in the district, there are no pet cemeteries nearby for the interment of these ashes.
- Pet cemeteries adjacent to conventional cemeteries are becoming more widely available (such as at sites operated by Bath & North Somerset and Islington & Camden) so this seems a perfectly acceptable type of development and valuable amenity for residents.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy  
MTRA1, MTRA4, CP6, CP13

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations  
DM10, DM16, DM17, DM18, DM23

National Planning Policy Guidance/Statements:  
National Planning Policy Framework 2018

Supplementary Planning Guidance  
Bishops Waltham Village Design Statement

**Planning Considerations**

Principle of development

Bishops Waltham Parish Council have identified a need for the provision of a pet cemetery and are proposing to use a small area within the confines of the existing cemetery grounds. Policy CP6 of Local Plan Part 1 allows for 'new, extended or improved facilities and services', which includes cemeteries/burial grounds. Therefore, the principle of the provision of a pet cemetery, within the confines of the existing cemetery is considered to be acceptable in accordance with this policy.

Design/layout

The pet cemetery will be confined to a triangular, grassed area of land, which is partly fenced, with a newly planted hornbeam hedge along the boundary with the car parking area to the south-east.

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The cemetery will only be accepting ashes from registered crematoria removing the risk of contamination and will be for small animals such as dogs, cats, rabbits or guinea pigs. The area (approximately 40m on its longest length by 20m) will be separate from the main cemetery and will provide individual plots (50cm square) and will be located in well-spaced rows, either as a simple plot or with a memorial tablet (30cm square).

Impact on character of area and neighbouring property

The site is set back from the main road and will be screened by a hornbeam hedge on the south-east boundary and an established hedge on the western boundary. Although the site will be visible when entering the car park, it is not considered that it will result in demonstrable visual harm. The site runs along the dense boundary hedge with the dwelling Caburn. However, it is not considered that there will be any impact on the amenities of this property.

Landscape/Trees

There is a newly planted hornbeam hedge running along the south-east boundary, which is to be retained. There are no material impacts on any other trees or hedges.

Highways/Parking

The proposed use of the land is considered to be low key and will have minimal increase in traffic. The Highway Officer requested further information on expected traffic generation and raised no highway objections.

Other Matters

There have been a number of objections from families that have relatives buried within the main cemetery and have raised fairly emotive objections to the proposal. Although sympathetic to their feelings, the issue of morality is not a material planning consideration and cannot be taken into account when judging planning applications.

If there is any future need to increase the space for the pet cemetery, then such proposals would be judged on their individual merits based upon the circumstances that are relevant at the time of assessment.

There is no evidence to suggest that the proposal site will not be as well maintained as the existing cemetery grounds in accordance with the Cemetery Committee's rules and regulations which the Parish Council have a recognised role to uphold.

It is noted that the proposal has been registered with the Animal and Plant Health Agency and a visit has been undertaken by an Animal Health Officer.

**Recommendation**

Application Permitted subject to the following condition(s):

**Conditions**

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

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

**Informatives:**

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

- offering a pre-application advice service and,

- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

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

02. This permission is granted for the following reasons:

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

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

Local Plan Part 1 - Joint Core Strategy: MTRA1, MTRA4, CP6, CP13

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM10, DM16, DM17, DM18, DM23

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

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

06. 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.

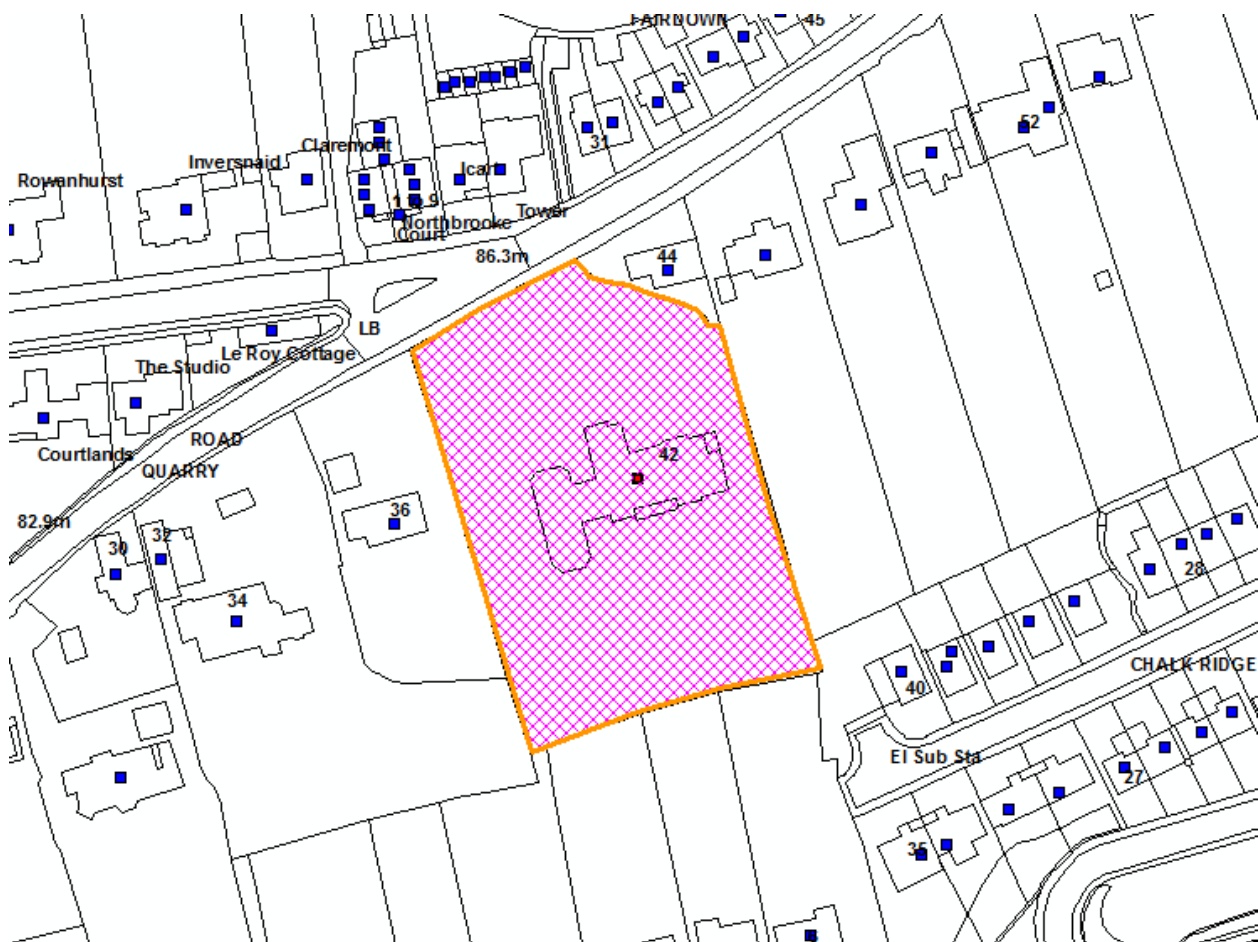
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For further advice on this please refer the Construction Code of Practice  
<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 18/02385/FUL  
**Proposal Description:** Erection of a 60 bed specialist dementia and nursing residential care home with associated landscaping and car park following demolition of the existing vacant former nursing home building  
**Address:** Abbeygate 42 Quarry Road Winchester SO23 0JS  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Mr Richard Dooley  
**Case Officer:** Liz Marsden  
**Date Valid:** 15 October 2018  
**Recommendation:** Application Permitted



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WINCHESTER CITY COUNCIL  
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**General Comments**

**Application is reported to Committee as it is for major development and the number of representations received contrary to the officer recommendation.**

Amended Plans received 04.02.19. The principal alterations are:

- Relocation of proposed building by 3m further back from Quarry Road
- Lowering the floor level of the building by 1.85m
- Provision of increased parking area to front of site (existing parking area)
- Alterations to pedestrian access, including staircase and terraced landscaping.
- Inclusion of platform lift for disabled access and servicing.
- Reduction in height of hedge along road frontage
- Change of roofing materials to natural slate
- Change timber cladding to brushed, charred, Accoya timber
- Gabion wall to be flint or flint panels

Amended Plans received 20.02.19

- Include positions of relocated lamp post and methane pipe.
- Minor alterations to car park access

**Site Description**

The site occupies an area of 0.503ha (1.24 acres) and is located in the St Giles Hill area of the city, about 1.2km (0.7miles) east of the centre of Winchester. The site is positioned to the southern side of Quarry Road, close to the road junction with Northbrook Avenue. The property is on a steep slope from the north frontage to Quarry Road to the rear garden southern boundary, with an overall difference in height of around 10.5m.

The site is occupied by a large detached house which has previously been extended and altered for use as a 30 bed care home, but was closed in 2017. The enlarged building is situated to the central area of the site, with a landscaped screened car parking area to the northern / front portion of the site which is at a higher level than the central area where the building is located. The site is accessed by a driveway towards the eastern boundary which slopes down, past the car parking area entrance and down to the front of the former house. There are tree screened boundaries to the east and west and to the southern / rear area of the site, a stepped rear garden amenity area. The garden falls by about 3m from the central area where the building lies, to the lower garden to the southern part of the site. The southern boundary is also tree screened.

The site is located in a predominantly residential area, towards the top of St Giles Hill, with only the properties to the north of Quarry Road being at a higher level. The area is characterised by a variety of dwelling types, with detached and semi-detached houses, chalet style bungalows and, opposite the site a three storey block of flats and Icart Tower, a converted water tower. There is no particular uniformity in the architectural style of existing properties.

To the north-east corner of the site is a detached house with a small patio garden raised to the level of Quarry Road. This property is therefore fairly prominent when viewed from the driveway on the site which skirts the common boundary. The properties either side, to the west and the east, are residential detached dwellings with south facing long rear gardens.

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South of the site the land continues to fall to the rear gardens of detached houses at Chesil Wood, off Petersfield Road.

The application sites lies on the southern edge of, but outside, the Winchester Conservation Area, and therefore can be considered to affect the setting of the Conservation Area. The site is also within the St Giles Hill Neighbourhood Design Statement (revised – September 2011), which is a Supplementary Planning Document to guide development proposals within the area. Although the site is heavily screened to the boundaries by mature tall trees, only the western boundary is partly covered, and therefore protected, by a group Tree Preservation Order (TPO), ref: 00313-2003-TPO.

### **Proposal**

This is a full planning application for the demolition of the existing vacant former care home and the redevelopment of the site to provide a 60 bedroom specialist care home for dementia patients (Use Class C2). The proposal shows a purpose built building the majority of which is 4 stories in height (13.68m) to occupy the central area of the site. The elevation to Quarry Road would be three-storey, though the bottom floor is set at lower ground level than the road and the effect will be of a two-storey property fronting the road. The proposed building is a Z-shape, with the ground floor occupying the central section and upper floors adding the two end wings, the northern most taking into account the higher site slope to the north, and the south-eastern being suspended on piers over part of the car parking area.

The scheme would provide 25 car parking spaces (including 2 disabled driver spaces) and 12 cycle storage bays. The existing access would be retained, with the entrance from Quarry Road widened to include a footpath to the side. The main parking area has been relocated, from the originally submitted proposal, towards the northern part of the site, which currently serves as the parking area.

The building has a ground floor which occupies the central area with the entrance and reception area, and admin offices. Other rooms provide central services (laundry, kitchen, plant, refuse store) and staff changing rooms, lounge. For the residents there is a small 9-seater cinema, a café / bar and a hairdresser studio. Access to the rear garden / grounds area is also provided.

The upper floor accommodation has a wider Z-floor area footprint to take into account the slope of the site. The 5 frontage north facing bedroom units have a small enclosed garden areas, with one accessed from a communal sitting room. Each of the upper floor areas (first, second, third floors) would provide, in addition to the 60 bedrooms, lounges, sitting rooms, dining rooms with kitchen / servery rooms and a clinical room to each accommodation upper floor. The bedrooms are shown to be distributed through the building with 20 on each of the upper stories organised, with the other rooms into two 10-bedroom 'households' on each floor.

The rear gardens / grounds would be accessed from the rear door at the ground floor. The garden is shown to be a formal arrangement with lawns (including a croquet lawn), planted beds and formal hedgerows. The change in level to the lower southern part would be accessed by a flight of steps to a planted orchard. The west, south and eastern site boundary would be enclosed and secured by a 1.8m high timber close boarded fence. Along the northern frontage with Quarry Road there is an existing dense evergreen hedge which is to be retained and maintained at a lower height than existing (around 2.5m).

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**Relevant Planning History**

80/01485/OLD: Change of use to a rest house for the elderly.  
Permitted 09 September 1980

81/00779/OLD: Erection of two storey extension and conversion of Coach House to form dwelling house  
Permitted 13 October 1981

85/00669/OLD: Two storey and single storey front extensions.  
Permitted 26 November 1985

88/00782/OLD: Single storey extension to provide nine bedrooms, lounge, bathroom utility with link to existing building incorporating lift and motor housing.  
Refused 01 August 1988

89/00743/OLD: Two storey side extension to provide 10 bedrooms, bathroom, lounge, utility rooms & lift  
Permitted 27 April 1989

01/01601/FUL: Single storey split level front extension with terracing/balcony area to provide additional accommodation to existing nursing home  
Refused 07 September 2001

02/01455/FUL: Four storey rear extension to provide additional accommodation to existing nursing home  
Permitted 03 September 2002

06/02536/FUL: Roof Alterations to include new lift dormer  
Permitted 28 September 2006

06/02536/FUL: Roof Alterations to include new lift dormer  
Permitted 28 September 2006

15/02099/FUL: Small extension and alterations to existing Care Home to create additional bedrooms and larger office, also addition of an external ramp to improve access.  
Permitted 20 November 2015

**Consultations**

WCC Engineers: Drainage: - No objection subject to appropriate conditions

The site is within Flood Zone 1 and a small part of the site is at low risk of surface water flooding. The geology is chalk. A connection to the foul sewer is proposed for foul drainage, this is the most sustainable option. Capacity should not be an issue due to the existing use.

Surface water drainage originally proposed to be connected to the foul sewer, via an attenuation tank and pumping station. This is not sustainable, and is unlikely to be acceptable to Southern Water. Pumping stations for surface water should be avoided unless absolutely necessary. The amended drainage system is much better, though due to the scale of the building and potential size of the soakaway we need confirmation of infiltration rates in the soil. This can be dealt with by condition.

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WCC Engineers: Highways: - No objection subject to appropriate conditions

This application is supported with a detailed transport assessment which sets out the highway implications of the proposal. If permitted, it is likely that the care home will only generate an additional 4 traffic movements in the peak periods, onto a road which actually is very lightly trafficked. The access is to be widened, and visibility improved, in accordance with measured vehicle speeds on Quarry Road. The proposal includes parking provision for 25 vehicles, which based on the data provided, should be more than adequate. Provision has been made on site for service vehicles to turn, so as to enter and leave the site in forward gear. The application is therefore acceptable from a highway point of view, subject to appropriate conditions.

WCC Head of Environmental Protection: - No objection subject to conditions.

No adverse comments on air quality or contaminated land issues though, as would be expected in a location close to the motorway, there are elevated background noise levels. There are recommendations to reduce noise levels and although the final detailed specification has not been submitted, this can be required through an appropriate condition.

WCC Head of Historic Environment:(Archaeology) – No objection

The proposal is supported by an Archaeological Desk-Based Assessment (DBA) forming a Heritage Statement (CgMs, May 2018 Ref. JA/Ms/24375). The DBA concludes that the site has a low to moderate potential to contain any buried archaeological remains and based on the steep topography the potential for any early settlement remains is considered low. The report also highlights that the known Anglo-Saxon cemetery and the site of the medieval fair at St Giles are located on the high ground to the north of the application site.

The report also notes that the site has been extensively disturbed by the existing development and (as illustrated by historic mapping) the grounds around the existing building have been extensively terrace / landscaped

The DBA has considered appropriately the potential of the site to contain archaeological remains and the potential for any such remains to survive given the extensive disturbance within the site. I concur with the conclusions of the DBA and advise that the proposed development raises no archaeological concerns. Accordingly, there is no objection on archaeological grounds and no conditions are recommended.

WCC Head of Historic Environment:- No objection

The property is not listed and located outside the conservation area. However, there is a Victorian methane gas pipe located close to the access from Quarry Road, which is a feature of historic interest in the street scene. Whilst it would be preferable if the pipe could be kept in its current location, moving it by a few metres, as indicated, will not have a material impact on the street scene or the role of the pipe within it.

WCC Head of Landscape: - No objection

The proposal is for a very large institutional building on the top of St Giles Hill, which has the potential to dwarf its neighbours and appear incongruous in views from the south. However the amended scheme has been lowered in height and now has a better relationship with the trees on the skyline and to the east and west boundaries.

The originally proposed use of light coloured zinc for the roof has been changed to slate,  
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making its appearance darker, less conspicuous and more in keeping with the other building in the area, More use has been made of dark timber for cladding the south elevation.

It is considered that following these significant changes the proposal responds better to the special qualities, feature and characteristics of St Giles Hill and whilst the building will be visible in southerly views, the recognised public views, particularly those from the SDNP, are not likely to be harmed by the proposal providing the existing trees on and around the site are retained.

WCC Head of Strategic Planning: - no objection but need to assess impact of building on views into and from St Giles Hill and ensure sustainable design.

The proposal lies within the settlement boundary of Winchester (DM1) and, as such, the principle of development is acceptable. It adjoins the Winchester Conservation Area to the north, so development could potentially affect the Conservation Area, particularly in terms of views in/out. The proposal would replace the existing care home with a new, larger facility that includes dementia care. As such it would appear to meet the requirements of policies CP2 and CP6, which promote a mix of housing and seek to retain and improve facilities and services. The proposal does not appear to be for independent dwellings, so would not be subject to policies on affordable housing or dwelling size (CP3, DM2).

The protection of important views from and of St Giles Hill is an important element of the St Giles Hill NDS (Policy 1), which identifies that there are glimpses from Quarry Road across the site. The NDS also seeks to retain existing Victorian and Edwardian houses and avoid buildings of uniform height and mass (Policy 6), maintain glimpsed views and break up the bulk of larger proposed buildings (Policy 7), and set new buildings into the slope and promote smaller buildings that avoid long unbroken lines (Policy 10).

The NDS policies add detail and supplement the Local Plan policies regarding design, efficient use of land and site planning/development (policies CP13, CP14, DM15-DM18). The proposed development includes a large amount of built form, even in comparison to the existing large building to be demolished, so there will need to be careful consideration of its impact and design/layout to ensure the relevant policy requirements are respected. The existing building is proposed to be demolished but appears to be based on a Victorian / Edwardian house, so its importance should be assessed, given the NDS aim of retaining these buildings.

Local Plan Part 1 policy CP11 expects high standards of sustainability (Code for Sustainable Homes Level 5 for energy and Level 4 for water), although recent Government announcements mean that Code Level 4 for energy would be accepted. The Design Statement does not appear to address this requirement and clarification is needed as to whether adequate sustainability levels are proposed and how they will be secured.

WCC - Urban Design Officer: - No objection

Developing the site for the proposed use is acceptable and keeps in line with the existing use. The proposal has positively evolved to address the concerns raised by the Design Review Panel and the WCC officers throughout the application process in terms of site layout, general massing and material treatment.

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The applicants have positively developed the scheme's massing arrangement and internal layout to step down and step back the building in response to the change in level along St Giles Hill and to improve the way it visually relates to the surrounding buildings and how it is seen from distance views.

The proposed site plan compliments the set back of the dwellings alignment's along this side of the road and would not require a strong presence from Quarry Road as the proposed buildings are well set back behind the existing trees and hedge. By adding the 3 meters set back from Quarry Road, the building settles much better in the context and complies with Policy 10 of St. Giles Neighbourhood Design Statement.

Southern Water: - Comments and advice regarding infrastructure

There is an increased risk of flooding due to the additional foul sewerage flows on the existing public sewer network. Network reinforcement would be required by Southern Water to be part funded by the New Infrastructure Charge. Conditions will need to be applied to secure this work.

There are no public surface water sewers in the area to serve this development. Alternative means of draining surface water are required which should not involve disposal to a public foul sewer.

Under current legislation and guidance, SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. Where a SUDS scheme is to be implemented the drainage details should be submitted to the Local Planning Authority.

Following initial investigations, there is currently inadequate capacity in the local network to provide a water supply to service the proposed development. Additional off-site mains, or improvements to existing mains, will be required to provide sufficient capacity to service the development.

WCC - Head of Landscape (Ecology) – Additional information needed

Further information is required. The submitted ecological assessment, recommends further survey in terms of bats roosting within the building, which should be carried out between May and September and completed prior to any decision being made. If mature trees are to be retained and protected during construction there should be no impact on bats and birds.

Lighting plans will need to be submitted to the LPA for approval and conform to The Lighting Institute and BCT Guidance 08/18. Biodiversity Enhancement measures shall be submitted to the LPA for approval. Both lighting plans and biodiversity enhancement measures will be based in part on results of the further survey in terms of bats.

WCC – Head of Landscape (Trees) – No objection subject to appropriate conditions

An Arboricultural impact assessment and method statement was requested and has been provided by the applicants. This demonstrates that the proposal can be accommodated without detriment to the tree screen along the boundaries and subject to conditions ensuring that protective measures are in place during construction, there is no objection on tree grounds.

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**Representations:**

City of Winchester Trust: - No objection

The Trust was consulted in the pre-application stage of the planning process. It was felt that excellent use of the site is being proposed, and the Trust appreciates the meticulous care that has been taken while developing the scheme. It was felt very important that the architect should have control of the execution of the details of the proposed design before the final contract is agreed, so that the evident quality will not be diluted by a contractor.

It was considered that the choice of timber cladding for the building is a good one, and some regret was expressed that it wasn't being used for the whole building, since this would make a more integrated scheme, while at the same time its relatively discreet appearance would not be intrusive amongst the mixture of styles and materials to be found along Quarry Road.

The retention of the trees on the boundaries of the site was welcomed, as was the green roof, but it was felt that a verified view should perhaps be provided to ensure that, unlike the Chalk Ridge housing, the appearance of the building would be acceptable as seen from the hills on the other side of the valley.

St Giles Hill Residents Association: Object

Whilst the proposal to build an improved care home is welcomed, we do object to the bulk and positioning of the building within the site. It will dominate the street scene, being much higher than the adjacent properties 36 (+6m), 44 (+4m) and 46 (+3m). This contradicts the NDS policy 10 ("New buildings or building works should not dominate neighbouring buildings...., should be 2, exceptionally 3 stories... set sympathetically into the slope and present no more than a natural two story façade when viewed from below..."). We believe our objection could be addressed by moving the building further away from Quarry Road, reducing the roof height by additional site excavations, and retaining the boundary trees as currently planned.

18 letters received objecting to the original application for the following reasons:

- Building too high and overly dominant on skyline
- Building too close to Quarry Road and overbearing on street scene
- Building design / contemporary style out of keeping with traditional character of area
- Building will have harmful impact on adjacent Conservation Area
- Loss of views across to the
- Increase in traffic generation to site with noise and safety concern
- Lack of on-site parking provision for staff will lead to roadside parking
- Service traffic will have to park / unload from roadside due to site slope and this will cause excessive noise
- Tree screen to the site should be retained and not cut back at road frontage
- Drainage of surface water to rear needs to be controlled to prevent flooding
- Drainage of foul water needs to be agreed to avoid flooding of Chesil Wood gardens
- Light pollution would impact on local wildlife

1 letter of support received in respect of original application

- Dementia care home welcome to the area

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Subsequent to the submission of amended plans 10 further letters of objection have been received from previous objectors, together with a further letter of objection from St Giles Hill Residents Association. Generally the amendments to the proposal are welcomed, but are not felt to be sufficient to overcome the concerns relating to:

- Size and scale of the building and its impact on the streetscene
- Conflict with the St Giles Hill Neighbourhood Design Statement in terms of loss of glimpses through the site and extent of uniform roof line.
- Inadequate access
- Increase in level of noise and disturbance from vehicles required to serve the development and hazard to other users of the road
- Inaccurate plans that do not realistically show the impact of the building.
- Lack of capacity in the sewerage network and the time period for this to be rectified.

There was a letter that did not object to the proposal but queried what provisions were being made for foul and surface water.

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

- Private views over the site to countryside beyond

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

DS1, WT1, CP2, CP3, CP6, CP7, CP9, CP10, CP11, CP13, CP14, CP16, CP17, CP20 and CP21.

Winchester Local Plan Part 2 – Development Management and Site Allocations

WIN1, WIN3, DM1, DM15, DM16, DM17, DM18, DM19, DM20, DM24, DM26 and DM27.

National Planning Policy Guidance/Statements:

National Planning Policy Framework 2018

Supplementary Planning Guidance

Winchester – St Giles Hill Village Design Statement

High Quality Places - 2015

Winchester City and its Setting

Winchester District Landscape Assessment

Parking Standards 2002

**Planning Considerations**

Principle of development

The site is within the built-up area of Winchester, so the principle of developing or redeveloping the site is acceptable. The existing / former use, and the proposed use as a care home includes both residential uses (residential institution - Use Class C2) as well as the associated employment activity forming part of this planning land use. There is no change of use proposed as part of the current proposal, and therefore the use is acceptable in this location. Given the scale of the development, it is appropriate to include a condition restricting the use to Class C2, to ensure that there is no possibility that it could be changed

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to a purely residential use, without the care element. The use of building for dwelling units would generate an increase level of activity and parking requirement which may not be acceptable in this location.

The Winchester Local Plan Part 1 – Joint Core Strategy (LPP1) Policy CP2 makes provision for specialist forms of accommodation such as extra care housing ... or homes for those with disabilities and support needs.

Policy CP6 of LPP1, states that proposals to the development of new, extended or improved facilities such as health and care establishments, including nursing/care homes, will be supported. In this case, the proposal will result in the replacement of an existing care home with a larger facility and is therefore in accordance with this policy.

Policy CP14 of LPP1 states that the development potential of all sites should be maximised and that higher densities will be supported on sites which have good access to facilities and public transport. The primary determinant will be how well the design responds to the general character of the area.

The Winchester Local Plan Part 2: Development Management and Site Allocations (LLP2) Policy DM1 confirms that suitable development within the settlement boundary of Winchester Town is acceptable.

Design/layout

The layout and design of the development has been determined to a large extent by the requirement to provide a high standard of living accommodation which reflects the needs of the residents and ensures a level of operational efficiency whilst taking into account the constraints imposed by the topography and natural features of the site. In addition the context of the surrounding development and relationship with adjoining properties must be considered in order to minimise any adverse impact.

The building is a 4 storey structure, with 6 'households' of 10 residents each occupying the upper three floors of the building, with the ground floor being retained for services, administrative and communal areas. The height of the building has been kept to the minimum possible without compromising the accommodation to be provided in the third floor rooms. This has resulted in an extensive area of flat roof, though this is not apparent from ground floor level, where the flat roof is concealed behind a pitched roof section to all sides. There have been a number of objections raised about the extent and uniformity of the flat roof and the lack of articulation in the roof façade. The possibility of achieving a more varied ridgeline has been looked at by the applicants but, based on the internal configuration required, this could only be achieved by raising sections of the roof, which was felt would have a greater visual impact on the surrounding area. It is considered that sufficient variety is provided in the elevations of the building, through the use of materials and feature dormers, to provide interest.

The revised plans that were submitted following the initial consultation responses did not alter the design of the building but relocated it on the site, so that it was set further back from the road (by 3m) and at a lower level (by 1.85m), reducing its visual impact on the street scene. This also enabled additional parking to be provided closer to the road, which reduces the amount of car parking that would be needed at the ground floor level and enables an improved aspect to the area around the main entrance. The pedestrian access has also been improved with a greater level of landscaping around the steps. Wheelchair

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access is provided by a platform lift, which will also provide access to the service area at ground floor level.

The location of the building has been carefully sited in order to avoid encroaching into the root protection areas of the mature trees that line the eastern and western boundaries, ensuring that these can be retained. There is some concern that the proximity of the trees to the building will result in limited light available to the occupants, due to the extent of overshadowing and that there would be future pressure for their removal. A statement has been submitted which confirms that the proposed rooms within the building will receive good levels of daylight and sunlight, which would meet British Research Establishment (BRE) criteria. Furthermore, the internal layout of the building is such that all residents will have access to areas with unimpeded natural light, both within the building where there are smaller sitting rooms located within all the 'households', together with the larger south facing communal areas at ground floor level and the outdoor patio and gardens.

The proposal incorporates landscaped private amenity space for the accommodation, either in a small number of private garden areas to the north of the building, or the communal gardens to the southern and western part of the site. The landscaping has been enhanced around the front entrance and access way, with the use of blockwork to break up the expanse of hardstanding. The existing overgrown hedge along the front boundary, which is up to 4m in places, is to be retained, but reduced in height and maintained at around 2.5m.

The materials to be used in the external surfaces of the building have also been altered following criticism of the quality and appearance of some of the original materials, in particular with regard to the roofing and cladding materials. The original submission proposed a fibre cement slate on the roof slope fronting Quarry Road, with a standing seam zinc roof across the remainder of the building. The walls were to be a mixture of zinc and a light timber cladding. These materials were felt to be too light and reflective, resulting in a greater level of visual intrusion in longer views to the south, whilst a darker finish would serve to blend the building into the woodland setting of the hillside. The revisions propose to use a natural slate across all roof slopes, with the walls in the western, eastern and southern elevations are to be an Accoya charred timber, which is a darker colour and has the benefit of being hard wearing and requiring limited maintenance. The Quarry Road and side elevations of the wing fronting the road are to remain as red brick, with a projecting feature, which will add additional interest to the building.

It is recognised that the proposed building is significantly larger than the one it is to replace and will inevitably be more visible in some public vantage points. However, it is capable of being accommodated on the site without undue loss of natural features and will not result in the site appearing cramped or overdeveloped.

Impact on character of area

The principal impact of the proposal would be due to the scale of the building, which is significantly larger than the building that it is to replace. Due to the mature tree belts along the eastern and western boundaries of the site, the full extent of the length of the building will not be apparent in any public views, particularly as the building is lower than the trees, and the primary visual impact will therefore be from Quarry Road to the north and in longer views from the south.

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From Quarry Road, the proposed building, although narrower overall than the existing, will be significantly more visible due to its closer proximity to the road (17.5m rather than 30m) and increased height, due to the additional floor of accommodation which adds 4.28m. Comments have been made that the length of the building that will be visible from the road is uncharacteristic of the area and will therefore be detrimental to its appearance. It is acknowledged that the plan of the front elevation suggests that the building extends across nearly the full width of the site, though it should be noted that this is slightly misleading as around a third of the frontage is set much further back on the site (47m from the road) and, with the difference in perspective, will appear lower and less intrusive. It should be noted that almost opposite the site, there is a 3 storey block of flats (Northbrooke Court), which is within 10m of the roadside. Whilst this building has a frontage of 16.7m, it is in close proximity to Icart House and Icart Tower, resulting in a longer façade which is more prominent in the street scene. It is considered that the views of the building from the road will not be so significant, or out of keeping with the character of the area so as to justify a refusal on this basis.

There is some concern about the loss of glimpses between buildings, identified in the St Giles Hill Neighbourhood Design Statement (policy 1) (NDS), that would result from the extent of the building. Reference has been made to an appeal at 22 Quarry Road, in which the Inspector placed 'substantial weight' on the provisions of the NDS and concluded that, whilst the panoramic view was currently blocked by a mature hedge, this could, in principle, be opened up, whilst the development of the site would result in permanent harm. With respect to the Abbeygate site, the views are glimpses, rather than the panoramic view (one of only two available for Quarry Road) that was affected in the appeal case and are already extremely limited, not only due to the hedge along the roadside but also due to the extent of tree growth along other boundaries. It would therefore require more extensive works than the lowering of the hedge to restore the glimpses of longer views, which would also have implications on the visual amenity of the area as it could affect the mature trees that are of significant amenity value. It is not considered therefore that the permanent loss of these glimpses would cause material harm to the visual amenities of the area so as to justify a refusal on this basis.

To the south of the site there is a further line of existing trees, though these are set at a lower land level than the building and in longer views from the south, they would not serve to screen the building, particularly in view of the increase in height. The greater mass and height of the building would therefore have the potential to increase the visual impact of the structure to level where it would have an adverse and unacceptable effect on the character and appearance of the area. This possibility was recognised in the original consultation responses from landscape and urban design officers and has been addressed through the submission of alternative materials to be used, with darker wooden cladding and slate in place of the former zinc and light timber cladding, ensuring that the building blends more effectively into the wooded setting. Visually verified images have been produced from a number of these points, including St Catherine's Hill, the motorway and Morestead Road, to illustrate the visual impact of the proposal and demonstrate that the building, whilst visible in some viewpoints, will not be unduly intrusive or detrimental to the overall appearance of St Giles Hill.

It is considered that the proposed development can be satisfactorily accommodated on the site and will not appear out of keeping with or detrimental to the character of the area.

Impact on neighbour amenity

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The site is bounded by a number of properties with potential to be directly affected by the size and scale of the proposal, most notably those immediately adjacent to east and west (36, 44 and 26). However, given the size of the site, the central location of the building, the mature tree screening along the boundaries and the distance to the neighbouring properties, the proposal will not result in any loss of amenity through shading or loss of privacy. The nearest dwelling is No.44 which is located immediately adjacent to the access drive, at a distance of 15m from the closest point of the new building. This property has a small rear garden, at present screened (and shaded) by trees on the application site, though these are shown to be removed as part of the new landscaping proposals. There are two bedroom windows at second floor level that would look towards the garden and may provide a restricted view, though this would be at a distance of 17m and is sufficient to ensure no undue loss of privacy through overlooking.

To the rear (south) of the site, the land drops away and the neighbouring houses (the closest of which is on Chalk Ridge at 35m) are set at a lower level and screened by trees, ensuring that they will not be adversely affected, either in terms of overlooking or through the new building appearing overbearing in the outlook from those properties.

To the north, the nearest dwellings are the flats in Northbrooke Court, Icart and Icart Tower, set to the other side of Quarry Road. The distance between these properties and the nearest part of the proposed building is 35m and therefore, whilst the new building will be visible from these properties, it will not cause harm to the amenities of the occupants of those properties by loss of light and privacy or through an unacceptable and overbearing impact on their outlook. The revised plans have reduced the height of the building when viewed from the road and it is now lower than the top of Icart Tower.

It is also necessary to consider the potential impact from the intensification of the care home use on the site, with the doubling in the number of bed spaces from 30 to 60. This would primarily be from an increased level of noise and disturbance from additional traffic movements due to deliveries, patient and staff movements and visitors. The doubling of the number of bed spaces does not however necessitate an equivalent increase in the number of staff or deliveries and the overall impact will not therefore be substantially greater than the former and authorised use of the site. Furthermore, the ability for service vehicles to access and turn on the site should ensure that vehicles will not have to unload from the road or block the highway. As set out in the transport statement, it is anticipated that the number of vehicle movements to the site will be increased by 4 during peak hours.

#### Landscape/Trees

The existing trees around the boundaries of the site, particularly those along the eastern and western boundaries are of importance in minimising the impact of the development and ensuring its acceptability. With the exception of some smaller trees within the site, most notably adjacent to the access, the existing trees are to be retained and protected during the construction and will therefore retain much of the character and appearance of the site when viewed from external vantage points. The hedge along the frontage, which is an existing mature feature, is also to be retained and maintained at a lower level. The on-site landscaping has been significantly improved, particularly around the access and main entrance areas, and is appropriate to the development.

#### Highways/Parking

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The proposal utilises the existing vehicular access to the site, but widening it to improve visibility and provide a pathway for pedestrians. Car parking provision is made for 25 vehicles and this is appropriate to the scale and use of the development, particularly given the proximity of the site to the city centre and public transport. A comprehensive transport assessment was submitted with the application which sets out the level of usage and concludes that the increased level of traffic generated by the proposal, amounting to an additional vehicle every 15 minutes at peak hours, will have very little impact on the local highway network. In addition swept path analysis plans demonstrate that the site and car parking spaces are accessible by a range of vehicle types and sizes, which are able to turn round and exit in a forward gear. Given the limited circulation area directly in front of the existing building, it is considered that the proposal will improve vehicle manoeuvrability across the site and will not result in an increased hazard to users of the highway.

It is considered that the impact of the development on the local transport network has been appropriately quantified and assessed and that the development is in accordance with policies CP10 and CP21 of the LPP1.

Ecology

The application was supported by report of an Ecological walk-over survey and daytime bat assessment, which concluded that there was a low probability that the existing building would support bat roosts and that the proposals were expected to have no, or minor, adverse impacts on ecology and biodiversity. Notwithstanding this, it was recommended that a dusk emergence survey was required to assess the presence or likely absence of bats. This survey has not yet been carried out and has been programmed for the beginning of May, with the appropriate season. The survey will inform the requirement, or otherwise, for additional mitigation works, which will need to be agreed prior to any decision being made on the application.

Other Matters

- Sustainability – A pre-assessment was submitted with the application, which suggested that the scheme could achieve a BREEAM rating of 'very good'. This does not accord with Policy CP11, which requires a rating of 'outstanding'. The development has been re-assessed with various elements improved to achieve an overall target of 'excellent', with an 'outstanding' rating for energy efficiency and it is considered that this is acceptable.
- Drainage – It was originally proposed to discharge surface water into the foul sewer, which is not considered to be sustainable. An amended drainage system has been submitted which includes provision for a soakaway on the site and, providing that infiltration tests are carried out to ensure that this is an adequate size, this is an acceptable solution. There are also queries over the adequacy of the foul sewerage system and water supply and the potential requirement for a reinforced network. This is a matter that would be resolved between the developer and Southern Water and the development would not be capable of being occupied without such an agreement in place and any required works completed.
- Levels – A query has been raised over the consistency of the levels shown on the plan. The agent has confirmed that it is common survey practice to set up localised datum points when topographical surveys are undertaken by professional surveying companies which often do not correspond to OS grid height levels. The scheme



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uses the topographical survey levels consistently throughout the application package other than the Site Location Plan, where an OS Pro Map (at a scale 1:1250) is used to identify the site in plan form only.

- Relocation of existing street furniture. – Some concern was raised over the loss of an existing Victorian Methane pipe, which is located close to the existing access which is to be widened and was not shown on the original plans. This is to be retained and relocated a short distance away, together with the existing street light, with consent obtained via legal agreements with the relevant authorities (Southern Water and Hampshire County Council).

The application cannot be determined until updated ecological information has been submitted. However, Officers are seeking a committee resolution on whether the proposals are acceptable in all other matters with authority being delegated to the Head of Development Management to issue the decision, once the required ecological information has been submitted and assessed.

**Recommendation**

Resolve to grant planning permission subject to the recommended conditions below and delegate to the Head of Development Management to resolve the outstanding ecology matters together with any appropriate conditions that may be required.

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 accommodation hereby permitted shall not be used for any other purposes than residence care home (Use Class C2). The building shall be used for no other purpose in the Town and Country Planning Act (Use Class) Order without the prior written approval of the Local Planning Authority.

Reason: The development is of a type that would be adaptable for other residential use, and does not incorporate sufficient parking provision for alternative types of occupancy.

3. No development shall take place until details and samples of the materials to be used for the construction of all external surfaces, including the green roof, of the development 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, before any of the bedroom care units are occupied, unless otherwise agreed in writing by the local planning authority.

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

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4. 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

5. All hard and soft landscape works shall be carried out in accordance with the approved details (plan ref. M9335 APL005 rev. C). The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development, or in accordance with the programme agreed with the Local Planning Authority. If, within a period of five years after planting, any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased, another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape, in accordance with the approved designs

- 6.i) Protective measures, including fencing and ground protection, in accordance with the submitted Arboricultural Implications Assessment and Method Statement, dated February 2019 and prepared by CBA Trees (ref. CBA10874 v1A), shall be installed prior to any demolition, construction or groundwork commencing on the site.
- ii) The Arboricultural Officer shall be informed once protective measures have been installed so that the construction exclusion zone can be inspected and deemed appropriate and in accordance with the approved Method Statement. Contact telephone - 01962 848210.
- iii) No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement ref. CBA10874 v1A. Any deviation from the works prescribed or methods agreed in accordance with the Method Statement shall be agreed in writing by the Local Planning Authority.
- iv) 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 constructions activity occurring on the sites and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

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

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

7. Detailed proposals for the disposal of foul and surface water, specifically a main foul capacity check and permission to connect from Southern Water and confirmation of the infiltration rates in the soil to inform the size of the soakaway, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted. The approved details shall be fully implemented prior to occupation.

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

8. Prior to work commencing on the site, including demolition, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Traffic Management Plan shall include the following details:
- Development contacts, roles and responsibilities
  - Public communication strategy, including a complaints procedure
  - Construction Method Statement, including demolition activities.
  - Code of Construction Practice for all works and operations on the site.
  - Measures to be undertaken to minimise impacts on surrounding land.
  - Timetable and dates for stages of the development, including land restoration at the completion of construction works.
  - Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
  - Dust suppression, mitigation and avoidance measures.
  - Measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway.
  - Provisions to be made for the parking and turning of operative and construction vehicles during the period of development including times of movement so as to avoid peak period traffic, neighbour notification, use of pointsmen etc.
  - Measures for minimising construction waste and provision for the re-use and recycling of materials.
  - Floodlighting and security lighting. (note: this must be directed in such a way as not to cause nuisance to adjoining properties or adjacent highway).
  - Measure to be taken to prevent contaminants from entering watercourses or the water environment and to protect drainage infrastructure.
  - Use of fences and barriers to protect adjacent land, footpaths and highways.
- Pest control

The Construction Traffic Management Plan, Construction Method Statement, and Code of Construction Practice shall be adhered to throughout the duration of the construction period.

Reason: To ensure that all demolition and construction work in relation to the

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application does not cause materially harmful effects on nearby land, properties and businesses.

9. Prior to any work commencing on site, details of a scheme for protecting the proposed dwelling from road traffic noise shall be submitted, and approved in writing by the Local Planning Authority. Such a scheme shall follow the recommendations of the ACCON UK Noise impact assessment report (Ref A3174/N/002) that formed part of the application.

Reason: To ensure that acceptable noise levels within the dwelling and the curtilages of the dwelling are not exceeded.

10. The car park bays shall be constructed, surfaced and marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate on-site parking and turning facilities are made available

11. The arrangement for refuse and recycling bin storage, cycle storage and the site external and internal boundary details shall be constructed in accordance with the approved plans before the development hereby permitted is brought into operation. The storage areas shall not thereafter be used for any purpose other than as specified

Reason: To ensure that adequate on-site cycle and bin storage for the development and to ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

12. The development shall be built in accordance with the rating and key performance indicators set out in the BREEAM new construction 2014 Assessment Report dated 22.02.2019 and submitted in support of the application.

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. The development hereby permitted shall be carried out in accordance with the approved drawings and documents unless otherwise agreed in writing by the local planning authority.

- M9335 APL001 rev. A - Site location plan
- M9335 APL002 rev. A – Topographical / Tree survey
- M9335 APL004 rev. C - Proposed site plan
- M9335 APL005 rev. C - Proposed landscape plan
- M9335 APL006 rev. C – Proposed ground floor plan
- M9335 APL007 rev. C - Proposed first floor plan
- M9335 APL008 rev. C - Proposed second floor plan
- M9335 APL009 rev. C - Proposed third floor plan

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- M9335 APL0010 rev. B - Proposed roof plan
- M9335 APL0011 rev. C - Proposed elevation AA (front)
- M9335 APL0012 rev. C - Proposed elevation BB (rear)
- M9335 APL0013 rev. B - Proposed elevation CC (east side)
- M9335 APL0014 rev. B - Proposed elevation DD (west side)
- Arboricultural Development Statement ref.CBA10874 v1A dated Feb. 2019

Reason: To ensure that the development is carried out in accordance with the approved details

**Informatives:**

1. This permission is granted for the following reason:  
The development is in accordance with the policies and proposals of the Development Plans 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 District Local Plan Review: DP3, DP4, DP5, H3, T1, T2, T3 and T4  
Winchester Local Plan Part 1 – Joint Core Strategy: DS1, WT1, CP2 CP3, CP6, CP9, CP10, CP11, CP13, CP14, CP16, CP17 and CP21  
Emerging Development Plan - Local Plan Part 2: Development Management and Site Allocations: WIN5
  2. 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.
  3. 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.
  4. The applicants attention is drawn to the fact that it is an offence to undertake works that affect the habitat of protected species without first undertaking appropriate surveys and providing a mitigation strategy and first obtaining and complying with the terms and conditions of any licences required, as described in Part IV B of Circular 06/2005. They should accordingly liaise with Natural England to ensure that the provisions of the following legislation are satisfied before any work is commenced on site pursuant to the permission hereby granted: Parts IV and Annexe A of Circular 06/2005 'Biodiversity and Geological Conservation'; Section 40(1) of the Natural Environment and Rural Communities Act 2006 and Regulation 3(4) of the Conservation (Natural Habitats & c ) Regulations 1994 and section 74 of the Countryside and Rights of Way Act 2000.
  5. A formal application to requisition water infrastructure is required in order to service this
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development. Please contact Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119 or [www.southernwater.co.uk](http://www.southernwater.co.uk)

The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation mounding or tree planting should be carried out within 4 metres of the public water main without consent from Southern Water.

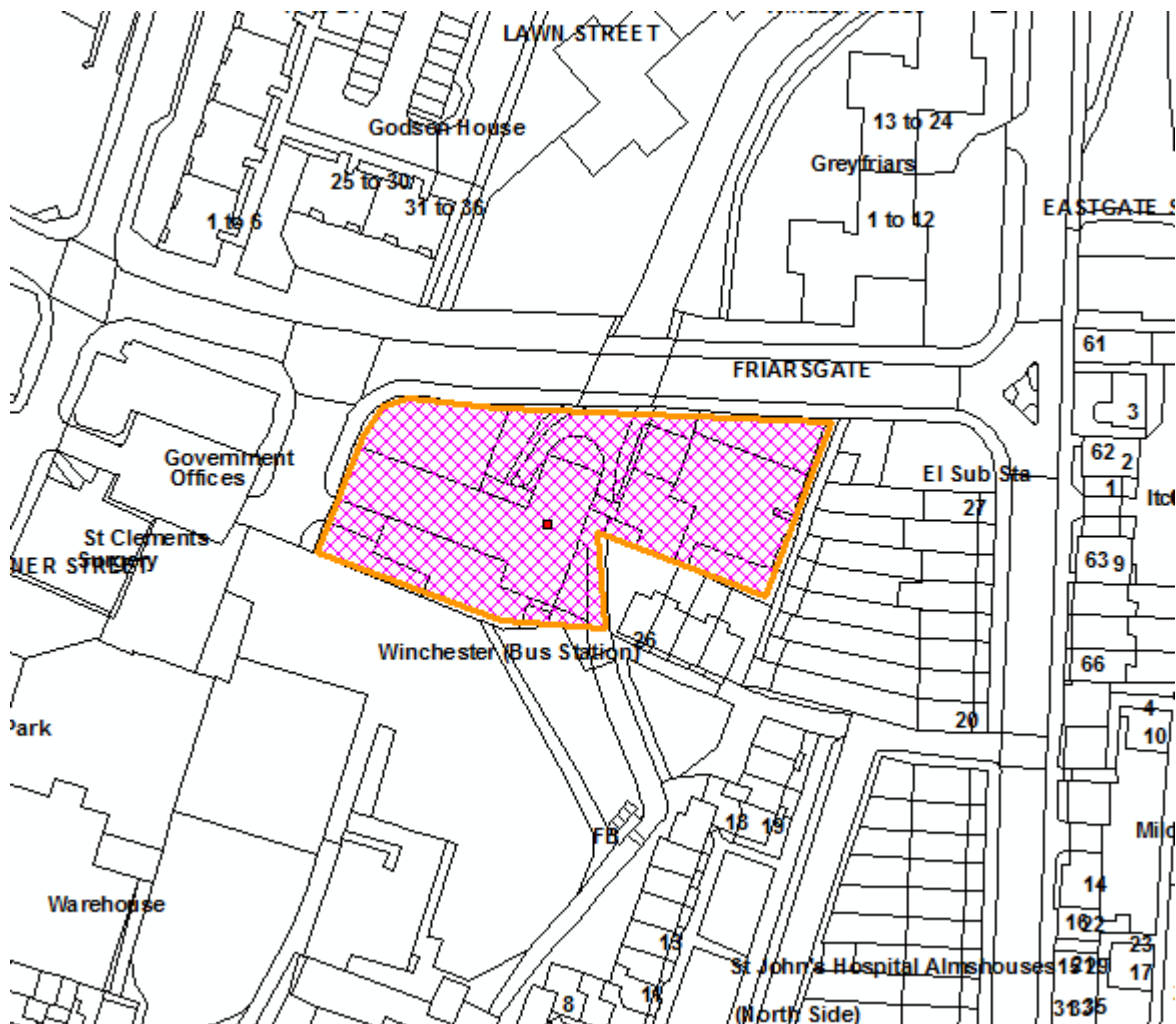
Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

6. Under current legislation and guidance, SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should specify the responsibilities of each party for the implementation of the SUDS scheme; specify a timetable for implementation, provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Following initial investigations, there is currently inadequate capacity in the local network to provide a water supply to service the proposed development. Additional off-site mains, or improvements to existing mains, will be required to provide sufficient capacity to service the development. Section 41 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to supply a specific site.
7. Conditions discharge: 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.

Further information, application forms and guidance can be found on the Council's website - [www.winchester.gov.uk](http://www.winchester.gov.uk).

## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 19/00174/AVC  
**Proposal Description:** Hoardings and window stickers/posters surrounding the Friarsgate Medical Centre building.  
**Address:** Friarsgate Medical Centre Friarsgate Winchester Hampshire  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Ms Veryan Lyons  
**Case Officer:** Robert Green  
**Date Valid:** 25 January 2019  
**Recommendation:** Application Permitted



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**General Comments**

The application is reported to committee as Winchester City Council is the applicant and 1 objection comment has been received.

**Site Description**

The Friarsgate Medical Centre is a large building which largely fronts onto Friarsgate, extending toward Coitbury House and overlooking the Bus Station to the rear.

The building is unoccupied and contains an area of open space between its front elevation and the Friarsgate roadway. At the time of the site visit, this contained dilapidated heras fencing to cordon off the parking area and an area of grassland. A waterway, which is open at points, runs through the centre of the site.

**Proposal**

The proposal seeks advertisement consent to construct advertisement hoardings which run the length of the site parallel to the Friarsgate roadway, which then wrap around the corner of the site to meet the Medical Centre building parallel to the roadway which leads toward the Bus Station site.

The planning statement submitted with the application notes that the hoardings are required to secure the property, prevent unauthorised access to the site and ensure the safety of the general public.

The application also seeks consent for the placement of window/stickers and posters which are to be positioned in the majority of windows in the Medical Centre building.

**Relevant Planning History**

No relevant planning history linked to the application.

**Consultations**

Engineers: Highways:

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

Head of Historic Environment:

- Proposed hoarding would not be harmful to the character or appearance of the Conservation Area.
- The proposed hoarding would not be visually invasive within the street scene and has been well considered in providing some visual interest without resulting in undue visual clutter or intrusion along what is a substantial built frontage.

**Representations:**

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City of Winchester Trust:

- Made comments neither objecting to nor supporting the application.
- Make a suggestion to relieve the long stretches of panelling by creating bays along the course of the hoardings.

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

- Proposal does not improve the public realm.
- Graffiti will recur and squatters will gain access but be less noticed.
- Deferring of exact wording to a later date.

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

- Proposal is a waste of council funds.
- Building should be demolished and a car park created.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

- MTRA1 – Development Strategy Market Towns and Rural Area
- CP13 – High Quality Design
- CP20 – Heritage and Landscape Character

Winchester Local Plan Part 2 – Development Management and Site Allocations

- WIN4 – Silver Hill Mixed Use Site
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM27 – Development in Conservation Areas
- DM34 – Signage

Other Planning guidance

Design Guidance for the Control of Shopfronts and Signs

**Planning Considerations**

Principle of development

The application site lies within the defined settlement boundary of Winchester. In this area, the principle of development is acceptable subject to compliance with the development plan as a whole and material planning considerations.

The NPPG specifies that 'Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is a lighter touch than the system for obtaining planning permission for development' making the development acceptable in this case.

As an advertisement consent application, policy DM34 of the Local Plan Part 2 seeks to control signage development and allows proposals which respect local characteristics and do not create visual clutter or detract from surrounding features.

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Policy WIN4 of the LPP2 supports proposals for a comprehensive mixed use development within the area as part of the wider regeneration of this allocated area. As a temporary advert consent application, the proposal is not considered to limit the effectiveness of this policy to achieve the wider regeneration of the area.

Design/layout and Impact on Character of Area.

The hoardings extend 6.4m from the rear gardens of properties on Eastgate Street to meet the Friarsgate roadway, before turning and running 50m parallel to Friarsgate and then extending 7.1m to meet the Medical Centre building.

The design of the hoardings uses a dark plum colour which creates a subtle basis for the hoardings compared to the use of brighter colours which would prove harmful given the length of the hoardings in the public realm.

The proposals also include a corporate skyline feature which extends the length of the proposals. The result of this ties the length of the hoardings together and assists in improving the continuity of the hoardings. The hoardings are then punctuated by a contrasting panel which includes a map image of the City and supporting text. The spacing of these prominent panels is acceptable.

The Design Guidance for the Control of Shopfronts and Signs does not contain a specific section on hoarding design but does note in the *basic considerations of signage design* that lettering and detail which is large or bright would be considered as 'shouting' and detrimental to the amenities of the area. The subtle use of branding and the dark colours used as a basis for the design are considered to comply with this guidance.

Therefore, the result is a hoarding design which has taken account of its size and prominent position and created a proposal which offers an acceptable temporary hoarding which does not adversely harm the character of the area or its role as a Conservation Area.

Comments have been made regarding the text which has been shown on the submitted visuals which currently reads 'Final wording to be confirmed and added here'; which is largely dependent on the naming of the area which at the time of considering the application had not been decided.

This recommendation has assessed the positioning, size and colour of the text which is considered acceptable. Whilst the submitted plans do not show the precise wording to be used for the text, this is considered non-material as any wording would have to follow the principles which have been established by this consent. Therefore a condition requesting such details is not considered appropriate or necessary.

The proposal also applies for the placement of window stickers in the majority of windows of the Medical Centre building. These use the same subtle plum colour which is used for the hoardings and also contain the corporate skyline graphic. The stickers do not contain further wording or images and as a result do not detract from the architectural character of the building or create an adverse impact on the character of the surrounding area.

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As a result, the proposal does not result in adverse harm to the character and appearance of the building or area.

Impact on Neighbouring Property

The nearest residential property to the hoardings is 27 Eastgate Street. The hoardings would be 12m from the rear elevation of the property with a height of 2.4m. Due to the limited height and separation from the property, this does not create an impact on residential amenity.

Highways/Parking

The Highways Engineer confirms that the proposal does not cause a significant highways impact and offers no objection or conditions in response.

Conclusions

Therefore, the proposal does not cause adverse harm to the character of the surrounding properties or area and complies with policies DM15, DM16, DM27 and DM34 of the Local Plan Part 2 and Design Guidance for the Control of Shopfronts and Signs.

**Recommendation**

Application **Approved** subject to the following conditions:

**Conditions**

- 1 This consent shall be for a limited period of five years from the date of this notice.
  - 1 Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations.
  - 2 Any advertisements displayed and any site used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
  - 2 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.
  - 3 Any structure or hoarding erected or used principally for the purpose of display of advertisements shall be maintained in a safe condition.
    - 3 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.
  - 4 Where an advertisement is required, under the Control of Advertisement Act 2007, to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
    - 4 Reason: As required by the provisions of the Control of Advertisement Act 2007 .

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5 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

5 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

6 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

6 Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

7 The development shall be carried out in accordance with the following plans:

- Location Plan received 28.01.2019
- Hoardings – Measurements with Design received 28.01.2019
- Hoardings – Panel Measurements received 28.01.2019
- Visual Image showing Hoarding and Windows received 28.01.2019
- Door Measurements and Graphics received 28.01.2019
- Archway Graphics received 28.01.2019
- Block Plan showing location of hoardings received 28.01.2019
- Single Window Graphic received 28.01.2019
- Window Vinyl Stickers received 28.01.2019
- Marked up windows and measurements received 30.01.2019

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

**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.

2.

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

Local Plan Part 1 - Joint Core Strategy: MTRA1, CP13, CP20

Local Plan Part 2 – Development Management and Site Allocations: WIN4, DM15, DM16, DM27 and DM34.

3.

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to

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justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

4.

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

5.

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

6.

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

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

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

7.

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

8.

The applicant is reminded that works are taking place above a water course which is in close proximity to the River Itchen SAC and SSSI. Due care and attention is required to protect the ecological importance of the area and any incidents should be reported to the WCC Ecologist.

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