



<b>Meeting</b>	Planning Committee
<b>Date and Time</b>	Thursday, 23rd May, 2019 at 9.30 am.
<b>Venue</b>	Bapsy Hall, Guildhall, Winchester

## AGENDA

### PROCEDURAL ITEMS

1. **Appointment of Vice-Chairman for 2019/20**

2. **Apologies and Deputy Members**

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

3. **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.

4. **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.

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

Minutes of the previous meeting held on 11 April 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 21 May 2019**, on (01962) 848 339 to register to speak and for further details.

## BUSINESS ITEMS

	Report Number	Ward
6. Where appropriate, to accept the Update Sheet as an addendum to the Report.		
7. Planning Applications - WCC Items 8 - 12	PDC1134	
8. Gravel Hill Farm, Gravel Hill, Shirrell Heath, Southampton (Case number: 19/00001/FUL) (Pages 17 - 24)		Whiteley & Shedfield
9. Cromwell House, 15 Andover Road, Winchester (Case number: 19/00618/FUL) (Pages 25 - 30)		St Paul
10. Homewell, 7 Berewecke Road, Winchester, SO22 6AN (Case number: 18/02927/FUL) (Pages 31 - 38)		St Barnabas
11. Trackway Access, Hunton Down Lane, Hunton, Sutton Scotney (Case number: 18/01917/FUL) (Pages 39 - 48)		Wonston & Micheldever
12. Front Depot, Lower Lane, Bishops Waltham, SO32 1AS (Case number: 19/00077/FUL) (Pages 49 - 62)		Bishops Waltham
13. Planning Applications - SDNP Agenda items 14 & 15 & WCC item 16 (PDC 1134 and Update Sheet refers)		

**The following items will not be considered before 2.00pm:**

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

- |     |   |         |  |
|-----|---|---------|--|
| 14. | Abbots Worthy House, Martyr Worthy Road, Martyr Worthy, SO21 1DR (Case number: SDNP/19/01331/CND) (Pages 63 - 78) |         | The Worthys  |
| 15. | Land between Alton Road and Marlands Lane, West Meon (Case number: SDNP/18/05415/FUL) (Pages 79 - 92)             |         | Upper Meon Valley  |
| 16. | Drakes Bottom, Dirty Lane, Hambledon, PO7 4QT (Case number: 19/00594/FUL) (Pages 93 - 102)                        |         | Denmead  |
| 17. | Confirmation of Tree Preservation Order TPO2242 - Land off of Orchard Close, Alresford (Pages 103 - 110)          | PDC1130 | Alresford & Itchen Valley  |
| 18. | Planning Appeals (Pages 111 - 132)  | PDC1135 | All  |
| 19. | Member Briefing Update - Esso Southampton to London Pipeline Project (Pages 133 - 142)                            | PDC1136 | Bishops Waltham, Upper Meon Valley & Alresford and Itchen Valley |

**Lisa Kirkman**  
**Corporate Head of Resources and Monitoring Officer**

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



15 May 2019

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

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

### **PLANNING COMMITTEE MEMBERSHIP – 2019/20**

**Membership to be appointed at Annual Council on 15 May 2019.**

Quorum = 4 members

## **THE HUMAN RIGHTS ACT 1998:**

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

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

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

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

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

## **GENERAL GUIDANCE ON THE WORK OF THE COMMITTEE:**

### **Background**

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

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

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

## **At the meeting**

At the start of the Committee meeting, the 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.

## **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.

### **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.

### **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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# Public Document Pack Agenda Item 5

## PLANNING COMMITTEE

Thursday, 11 April 2019

Attendance:

Councillors  
Ruffell (Chairman)

Read	Izard
Clear	McLean
Cunningham	Rutter (for Agenda Items 7 & 8 only)
Evans	Berry

Others in attendance who addressed the meeting:

Councillors Achwal, Bentote, Huxstep and Porter.

### 1. DISCLOSURES OF INTERESTS

Councillor Rutter declared a personal and prejudicial interest in respect of Item 9 (99-103 Springvale Road, Kings Worthy) as the developer, Shorewood Homes, had made a donation to sponsor The Worthy's Festival of which she is Chairman. Whilst having no connection with this application, Councillor Rutter considered that, due to her involvement with the festival and to avoid any suggestion of impropriety she would sit apart from the Committee taking no part in the discussion or vote thereon.

### 2. MINUTES

RESOLVED:

That the minutes of the meeting held on 14 March 2019, be approved and adopted.

### 3. WHERE APPROPRIATE, TO ACCEPT THE UPDATE SHEET AS AN ADDENDUM TO THE REPORT.

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1131.

### 4. PLANNING APPLICATIONS (PDC1131)

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

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

## **5 LAND OFF SOLENT WAY, WHITELEY, FAREHAM**

Item 7: The erection of a drive-thru restaurant (Class A3/A5 - Sui Generis) with associated advertisements, car parking, access, servicing, landscaping, engineering works and ancillary works.

Land Off Solent Way, Whiteley

Case number: 18/02163/FUL

The Development Manager referred Members to the Update Sheet which set out in full an amendment to Condition 10 and an amendment to the 'Recommendation' regarding the requirement of the legal agreement to read as follows: 'Application Approved subject to:

(a) the successful completion of a legal agreement (unilateral undertaking or section 106) to obtain the following:

- The provision of the Travel Plan and associated approval and monitoring fees/bond of £9,750;
- The provision of KEEP CLEAR marking at the site access as shown in principle on Drawing 3042.01; and
- A financial contribution of £38,000 towards the Parkway South Roundabout Improvement Scheme
- Details of Ecological Enhancements and the location of the selected receptor site
- A financial contribution toward the management of other local SINC's to compensate for the loss of habitat
- A financial contribution to secure the future of a suitable receptor site in perpetuity

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

In addition, a verbal update was provided stating that a petition had been handed in prior to the meeting with a list of signatories from the group 'Whiteley Residents Matter', seeking further development to be stopped in Whiteley in respect of congestion and pollution.

In response to questions from Members, the Highways Engineer from Hampshire Highways clarified that the contribution for the scheme would not be available until development had commenced and that preliminary works to Junction 9 of M27 and Parkway South had commenced with full works scheduled to start during Summer 2019 and an expected completion date anticipated for Summer 2021. In addition, it was noted that works to the road network would be expected to be carried out once development was complete, or at least underway.

During public participation, Whendie Blackwell, Ruth Horton and Town Councillor Mike Evans (Whiteley Town Council) spoke in objection to the application and Andrew Kenyon and Naomi Taylor spoke in support of the application and all answered Members' questions thereon.

During public participation, Councillors Huxstep and Achwal spoke on this item as Ward Members.

In summary, Councillor Huxstep raised the following points:

- Significant existing traffic issues;
- Endorsed the comments of Whiteley Town Council; Investigate powers to delay the start of this development for road works to be completed in advance of development;
- Contrary to Policy SHUA3 as the application fails to achieve B1, B2 or B8 type of employment use;
- Queuing/Idling traffic experienced regularly into and out of Whiteley causing a detrimental impact on air pollution;
- KFC traffic modelling based on the site at Andover; unsure if this provided a true reflection of the issues at Whiteley; and
- Staff parking on site would only work if sanctions were in place to prevent employees using this facility.

In summary, Councillor Achwal raised the following points:

- Disappointed no visit to the site had taken place prior to the meeting and that the Applicant had not carried out any public or community engagement regarding the application.
- Future of children with an increasing amount of fast food outlets; contrary to NICE Public Health England guidance by increasing unhealthy food choices.
- Drive-thru situated next to offices with an increase in litter and Anti-Social Behaviour already experienced since the opening of the Lidl Store, adjacent to the proposed application site;
- Inadequate parking provision with buses in operation only one every two hours and services ending at 7pm and not operational on a Sunday; How would staff travel to work if not by vehicle?
- With the contribution of £38,000 from the Applicants towards mitigation measures, it was suggested that this be ring fenced towards a pedestrian crossing in Rookery Avenue.

At the conclusion of debate, the Committee agreed to refuse permission for the following reason: Proposal does not accord with Policy SHUA3 by means of the type of employment generated and places an additional burden on the highway infrastructure. Contrary to Policies: CP9, CP10 and DM18.

The precise wording of conditions to be delegated to the Head of Development Management, in consultation with the Chairman.

## 6. **FULCRUM 6 SOLENT WAY, WHITELEY, FAREHAM**

Item 8: Development of business park units for B1(c) light industry, B2 general industry and/or B8 storage and distribution uses, together with associated landscape and infrastructure.

Fulcrum 6, Solent Way, Whiteley

Case number: 18/02879/FUL

The Development Manager referred Members to the Update Sheet which set out in full an addition to Condition 24.

In addition, a verbal update was provided stating that a petition had been handed in prior to the meeting with a list of signatories from the group 'Whiteley Residents Matter', seeking further development to be stopped in Whiteley in respect of congestion and pollution.

During public participation, Whendie Blackwell and Town Councillor Mike Evans (Whiteley Town Council) spoke in objection to the application and Nick Brooks (applicant) spoke in support of the application and all answered Members' questions thereon.

During public participation, Councillors Bentote and Huxstep spoke on this item as Ward Members.

In summary, Councillor Bentote raised the following points:

- Travel Plan does not address reality. Cyclists are rarely seen and the bus service for Whiteley is infrequent and inadequate;
- Whiteley residents are against further development at this stage;
- The HCC Flood and Water Management Team requested further information; has this been addressed?
- Feel sympathy for the residents facing the issues in and out of Whiteley due to the persistent gridlocked roads in the area from the volume of traffic; and
- Oppose the application due to the existing traffic issues and possible flood concerns.

In summary, Councillor Huxstep raised the following points:

- Agreed with the points previously raised by the fellow Ward Member and the concerns expressed by residents; and
- Made reference to the Local Plan which stated that site access should be adequate and sufficient to utilise the site and suggested that the application was Contrary to Policy DM18 at this time.

In response to questions raised during public participation, the Planning Case Officer clarified that a response from the HCC Flood and Water Management Team had been received on 21 March 2019 stating that the information provided addressed all of the points previously raised, with the exception of the discharge to the sewer as opposed to the watercourse. However, they were satisfied that this would not lead to an additional flood risk and as such raised no objection to the application.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the S106 legal agreement, the conditions and informatives set out in the Report and the Update Sheet.

7. **99 - 103 SPRINGVALE ROAD , KINGS WORTHY**

Item 9: Amended Plans - Redevelopment of the site following demolition of the existing dwelling houses at 99, 101 and 103 Springvale Road, and the erection of 13 no. dwellings (6 x 2-bedroom, 4 x 3-bedroom and 3 x 4-bedrom), with associated access, landscaping and parking  
99 - 103 Springvale Road Kings Worthy  
Case number: 18/01083/FUL

The Development Manager referred Members to the Update Sheet which stated 'Condition 16 to be removed as a duplicate of Condition 6. All subsequent conditions re-numbered accordingly.'

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

During public participation, Councillor Porter spoke on this item as Ward Member. In summary, Councillor Porter raised the following points:

- Springvale Road suffers from existing flooding issues which are unpleasant for residents; this application would further exacerbate the position
- Content with the design of the dwellings but the principle of flooding has been taken up by HCC – preference is for the site to be adoptable but this does not look to be the intention;
- Hedges splay into road from Haydn Close. If continue to grow out this causes difficulty and restricts highway access. The Parish Council can take action if the road is adopted; and
- Viability testing with 4 bedroomed dwellings now proposed in the scheme.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the S106 legal agreement, the conditions and informatives set out in the Report and the Update Sheet, also subject to additional information in relation to hedging and highways. Applicant notified of requirement for Advance Payments Code (APC) upfront by HCC Hampshire Highways by way of an informative.

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

8. **LAND AT BUTTS FARM, BUTTS FARM LANE, BISHOPS WALTHAM**

Item 10: Approximately 50m of stock proof fencing and gate on grassland off Butts Farm Lane  
Land at Butts Farm, Butts Farm Lane, Bishops Waltham  
Case number: SDNP/19/00026/FUL

During public participation, Tim Gardner (Agent) spoke in support of the application and answered Members' questions thereon.

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

RESOLVED:

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

(i) That in respect of item 7, permission be refused for the following reason: Proposal does not accord with Policy SHUA3 by means of the type of employment generated and places an additional burden on the highway infrastructure. Contrary to Policies: CP9, CP10 and DM18. The precise wording of conditions to be delegated to the Development Manager, in consultation with the Chairman; and

(ii) That in respect of item 9, permission be granted for the reasons and subject to the S106 legal agreement, the conditions and informatives set out in the Report and the Update Sheet, also subject to additional information in relation to hedging and highways. Applicant notified of requirement for Advance Payments Code (APC) upfront by HCC Hampshire Highways by way of an informative.

9. **CONFIRMATION OF TREE PRESERVATION ORDER TPO2238 - ABBOTTS LEA COTTAGES, WORTHY ROAD, WINCHESTER**  
(Report PDC1129 refers)

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2238 be confirmed.

10. **MEMBER BRIEFING UPDATE - LOVEDEAN INTERCONNECTOR**  
(Report PDC1132 refers)

The Committee received a presentation and Report which provided an update on the background and current status regarding the Aquind National Strategic Infrastructure Project (NSIP). The project was currently under consideration by the Council for a level of officer delegation to be agreed, in consultation with the Portfolio Holder.

Members attention was drawn to the Update Sheet which set out in full the contents of the last two briefing notes that had been circulated to local Ward Members and the surrounding Parish Council's.

The presentation set out the schematics of the overall scheme at Lovedean which effects a number of other local authorities in Hampshire, including Portsmouth City Council, Havant Borough Council and East Hampshire District Council particularly in respect of the burying of underground cabling.

All parties were expected to engage in the application process going forward and representations were being submitted to Aquind to clarify building design and further details. However, the final design was not expected until the tender process had commenced later in the year.

During discussion, a Member stated that he wished to see a report come back to Committee once the application design details and further information becomes available which would be when the formal application was submitted to the inspectorate for examination.

RESOLVED:

1. That the report be noted; and
2. That Members agree to delegate to officers, in consultation with the Portfolio Holder for Built Environment, the role of responding to the planning inspectorate with regard to the Councils responsibilities as the host authority for the Aquind National Strategic Infrastructure Project, excluding the response at the formal examination stage which shall be presented to the planning committee for consideration before its submission.

The meeting commenced at 9.30am, adjourned between 12.50pm and 2.00pm and concluded at 4.05pm.

Chairman

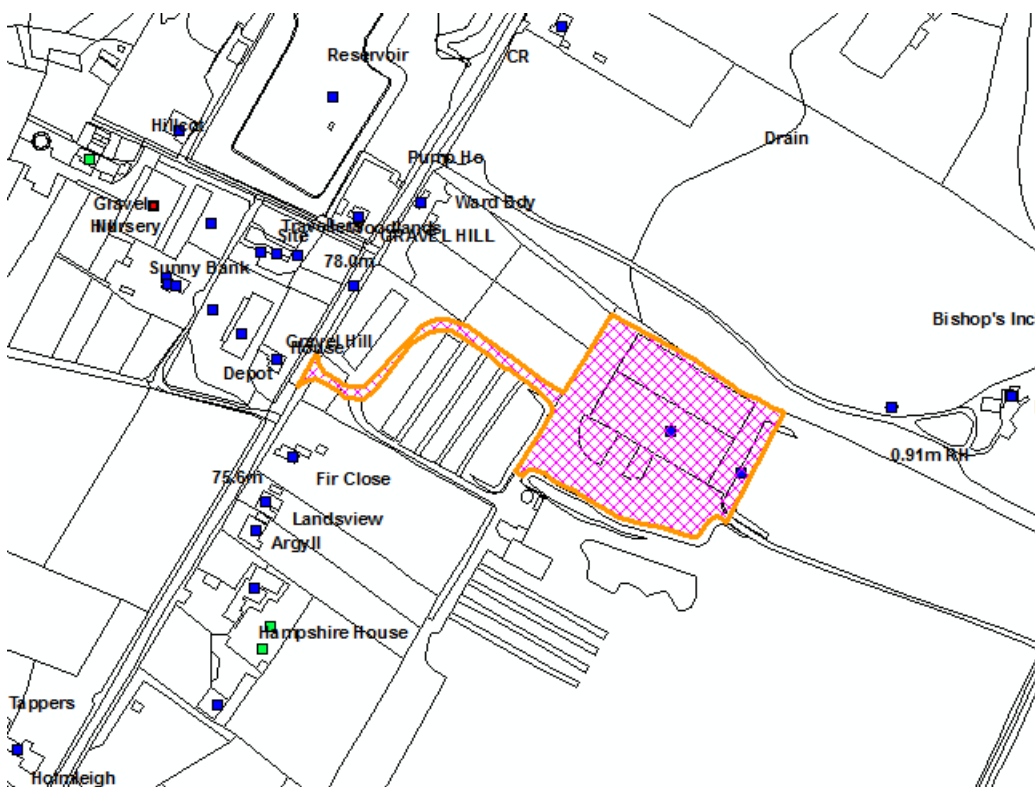
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# Agenda Item 8

## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 19/00001/FUL  
**Proposal Description:** Full planning application for the change of use of the existing B2 Industrial Unit to a flexible B1c/B2/B8 use  
**Address:** Gravel Hill Farm Gravel Hill Shirrell Heath Southampton Hampshire  
**Parish, or Ward if within Winchester City:** Shedfield  
**Applicants Name:** Ceejay Systems  
**Case Officer:** Rose Lister  
**Date Valid:** 2 January 2019  
**Recommendation:** Permit



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WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**General Comments**

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

**Application is reported to Committee as the number of objections, received.**

Changes were made to the application as follows:

- Proposed hours of operation changed to 07:00-20:00 Monday –Friday, 07:00-13:00 Saturdays and no operations on Sundays or Bank/Public Holidays;
- Proposed delivery times to match operation times
- Proposed uses would retain the restricted B2 as existing and include the B1c and B8 uses proposed.

Additional plans and information were submitted on 02.04.2019 in regards to visibility splays, trip rate calculations and accident analysis.

**Site Description**

The application site is situated along the Gravel Hill in Shirrell Heath where the site is accessed from.

The existing building is set well back from the road with soil bunds to the south, east and south west of the site.

The site is situated at the northern edge of the village and surrounded by agricultural land to the north, south and west. There are residential properties to the east, west and south of the site.

The site currently has a restricted B2 general industrial use with ancillary office space on the first floor.

**Proposal**

The proposal seeks to expand the business use of the site to include B1c and B8 use as well as the existing restricted B2 use and extend the operation and delivery times.

The application states: "Having taken occupation of the site in June 2017, Warwick Trailers have successfully operated from the premises for the past 18 months. However, Warwick Trailers' parent company, Ceejay Systems, now wishes to make more efficient use of the premises and broaden the lawful uses of the building to encompass all facets of their business. As such, this application requests that the premises be granted a change of use to a mixed B1(c)/B2/B8 use class to allow Ceejay Systems maximum flexibility in responding to changing industry and market demands without the need for relocation".

The proposed development would sit entirely within the built form of the existing building. The gross floor space of the premises (4,562 square metres) will not change as a result of this application.

**Case No: 19/00001/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Relevant Planning History**

09/00856/FUL - Use of land for storage purposes (B8) and retention of office (RETROSPECTIVE) – refused 14.08.2009

11/02799/FUL - Siting of 2 no. Portakabin offices for use by business on site (RETROSPECTIVE) – permitted 31.01.2012

16/01145/FUL - Full planning application for the change of use of the existing horticultural nursery at AE Roberts, Shirrell Heath from agricultural to B2 General Industrial use. – permitted 07.10.2016

**Consultations**

Hampshire Engineers: Highways:

Hampshire Highways raised no objection

WCC Head of Environmental Protection:

The Environmental Health Officer raised concerns regarding the general B2 use of the site and noise levels in regard to the increased use, extended opening times and hours of access. Amendments were made to the application in line with the advice and the objection was withdrawn subject to conditions.

**Representations:**

Parish Council

- The Parish objects to the application due to the impacts on local residents and the countryside from traffic and noise.
- The proposed operation and delivery times are unreasonable.
- The existing business is new and the proposal reflects poor forward planning
- The property is for sale

19 letters received from 11 addresses objecting to the application for the following reasons:

- Increase in traffic
- Harmful to the local area
- Increase in noise
- Proposals are not appropriate for the location
- HGVs destroying verges and foot paths
- Application not advertised properly
- Traffic projections are not accurate

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

- The site is for sale
- Not what the business promised 2 years ago when permission was granted for the current use
- What they have is sufficient
- Lorries do not obey the speed limit

**Case No: 19/00001/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles  
MTRA3 – Other Settlements in the Market Towns and Rural Areas  
MTRA4 – Development in the Countryside  
CP8 – Economic Growth and diversification

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM1 – Location of New Development  
DM10 – Essential Facilities and Services in the countryside  
DM15 – Local Distinctiveness  
DM16 – Site Design Criteria  
DM17 – Site Development Principles  
DM18 – Access and Parking  
DM20 – Development and Noise  
DM23 – Rural Character

National Planning Policy Guidance/Statements:

National Planning Policy Framework 2018

Paragraphs 80, 83, 84, 118, 170, 182 and 183

**Planning Considerations**

Principle of development

The development is not situated within a settlement boundary and in the countryside for the purposes of the Local Plan, where there is a general presumption against development.

Policies MTRA3 and MTRA4 of the Local Plan address development in the countryside. Specifically policy MTRA4 allows for the expansion or redevelopment of existing buildings to facilitate the expansion on-site of established business or to meet an operational need. As the application site is an existing business and the proposal looks to expand the range of existing business uses the principle of development is considered acceptable in this case, provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

Impact on character of area

The proposal would see the existing B2 use expanded to include B1c (light Industrial) and B8 (storage and warehousing). Some small cosmetic changes are also proposed to replace wear and tear damage to the main building with the existing opaque windows and the waterproof coating being replaced with like for like. It is therefore considered that there would be no detrimental impact to the street scene.

Other impacts on the character of the area have been addressed in the following paragraphs.

**Case No: 19/00001/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Impact on Residential Amenity

The closest residential properties to the site are located over 100m away from the building, though some 20m from the entrance to the site from Gravel Hill. It is considered that the proposal would not result in overlooking, overbearing or loss of light to these neighbouring properties, however, noise and traffic impacts have been taken into consideration. The traffic impacts have been considered in the section below.

The proposal would see the expansion of an existing B2 business. Amendments have been made to remove the general B2 use and restrict the existing B2 use of the site which provides greater control and is considered acceptable. Other uses, B1(c) and B8 uses have also been proposed to be included into the existing building. The Environmental Health Officer has not raised an objection regarding these uses as they would produce noise impacts comparable to, or less than, the existing use.

The proposal also requests an extension of the operation hours which has been raised as a concern by local residents. The application has been amended to operate from 6am – 8pm Monday to Friday to 7am-8pm Monday to Friday, the remaining hours of operation would remain unchanged. The site currently operates between 7am and 6pm Monday to Friday. The proposed extension of operation hours earlier and later in the day are considered acceptable given the sufficient distances between the neighbouring dwellings and the site. The Environmental Health officer raised no objection to the amended operation times.

Highways/Parking

Concerns were raised regarding the amount of potential traffic generated by the scheme. Traffic data has been submitted in regard to accident data, access and trip generation for the proposal. Hampshire Highways have assessed the data and consider that the proposal would generate a similar amount of traffic in the area as existing use does and is therefore considered to be acceptable. It is considered that the existing access is acceptable for the proposed uses on the site. The Highways officer raised no objection to the proposal.

Conclusion

The proposal would allow an existing business use to expand without unacceptable adverse impacts on the neighbouring properties or to the adjacent highways. It is therefore considered that the proposal accords with the development plan and policies MTRA3, MTRA4, CP8, CP9, DM16, DM17, DM18, DM20.

**Recommendation**

PERMIT subject to the following condition(s):

**Conditions**

**Case No: 19/00001/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

01 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:

P16-010 02-02-002A

P16-010 02-03-001B

P16-010 02-03-002B

P16-010 02-05-001B

P16-010 02-02-001C

02 Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

03 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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

04 The use hereby permitted shall not operate other than between the hours of 7am-8pm Mondays to Fridays, and 7am-1pm on Saturdays, nor any time on Sundays, Bank or Public Holidays.

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

05 No deliveries shall be taken at or dispatched from the site except between the hours of 7am-6pm Mondays to Fridays, and 7am-1pm on Saturdays, nor any time on Sundays, Bank or Public Holidays

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

06 Other than the building, the immediate outside hardstanding's around the building and access road (as depicted in plan P16-010 02-02-001C outlined in red) the remaining land shall remain in agricultural use.

06 Reason: For the avoidance of doubt and to ensure that the character of land outside the building and immediate apron and access road does become involved in the B2 use in the interests of visual amenity

07 Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the

**Case No: 19/00001/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

variation. The external lighting will not be switched on between the hours of 22:00 in the evening and 07:00 the following morning.

07 Reason: To protect the appearance of the area, the environment and local residents from light pollution.

08 No materials, including products, parts, crates, packing or waste shall be stored in the open at the site.

08 REASON: In the interests of the visual amenities of the area

09 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or as may be subsequently amended or re-enacted the premises shall only be used for the production and customisation of commercial vehicles and the manufacture of custom-built agricultural and vehicular trailers and for no other purpose or use falling within Class B2 of the Use Classes Order 1987 (As Amended) without the grant of an additional planning permission.

09 Reason: To safeguard the amenity of adjoining and future residents.

**Informatives:**

1. This permission is granted for the following reasons:

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

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

Local Plan Part 1 Joint Core Strategy: MTRA4, MTRA3, CP8, CP9,

Local Plan Part 2: DM16, DM17, DM18, DM20.

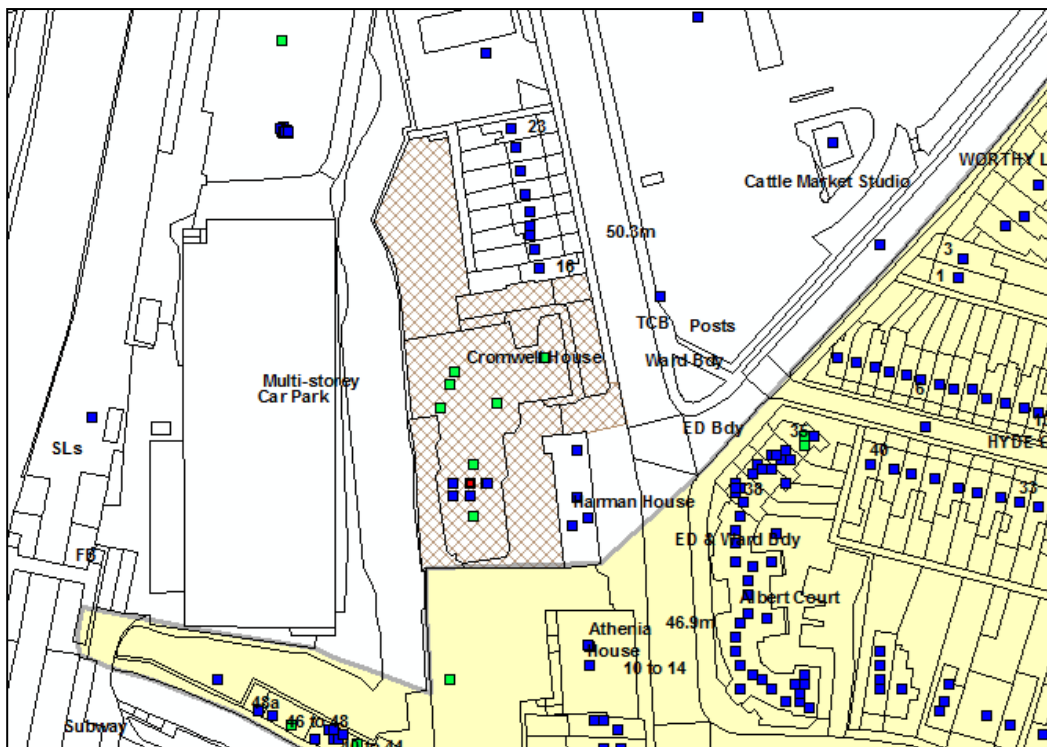
3. In accordance with paragraph 38 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;  
-offering a pre-application advice service and,  
-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

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## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 19/00618/FUL  
**Proposal Description:** Application Reference Number: 76/00179/OLD Date of Decision: 22/07/1976  
Condition Number(s): 9.  
Conditions(s) Removal:  
(Amended Description) Removal of Condition that requires parking be made available for residents of 15-23a Andover Road  
**Address:** Cromwell House 15 Andover Road Winchester Hampshire  
**Parish, or Ward if within Winchester City:** St Paul  
**Applicants Name:** Chris Hickey.  
**Case Officer:** Rose Lister  
**Date Valid:** 18 March 2019  
**Recommendation:** Permit



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PLANNING COMMITTEE

**General Comments**

**7 letters from 6 households have been received contrary to the officer's recommendation.**

**Councillor Todd requested the application to be determined by Planning Committee, see Appendix 1**

**Site Description**

Cromwell House is situated on the western side of Andover Road. Access to the site's car park is to the north of the building via a controlled entry gate. The access dips significantly before rising steeply to enter the car park. There is a steep bank to the west of the car park and a drop of approximately 4m to the east. There are residential properties to the east and a petrol station to the north.

**Proposal**

The proposal is to remove condition 9 of permission 76/00179/OLD that requires parking spaces be made available for neighbouring properties adjacent to the site.

**Relevant Planning History**

76/00178/OLD - Construction of office block and underground car park total approved 81 000 sqft following demolition of 10 dwellings – Withdrawn 21.09.1976

76/00179/OLD - Erection of office block to include small canteen and restroom. New office floor space 3766 sqm – Permitted 22.07.1976

77/00132/OLD - Change of use from residential to offices – permitted 04.11.1977

77/00133/OLD - Change of use to residential from offices – permitted 05.01.1977

**Consultations**

Engineers: Highways:

HCC highways raised no objection to the scheme.

**Representations:**

7 letters received from 6 households objecting to the application for the following reasons:

- Loss of parking to neighbouring properties
- Increased demand for parking in the local area.

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

- Applicant charging 'unreasonable' rates for a permit.
- Application is for the profit of the applicant

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles  
CP10 – Transport

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM1 – Location of New Development  
DM18 – Access and Parking

National Planning Policy Guidance/Statements:

National Planning Policy Framework  
Paragraphs 11, 55, 56, 109

Supplementary Planning Guidance

Residential Parking Standards SPD

**Planning Considerations**

Principle of development

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

Impact on character of area and neighbouring property

The application seeks to remove condition 9 of permission 76/00179/OLD. The condition reads:

*“Eight car parking spaces shall be made available for use by the occupiers of the adjoining properties at 15-23a Andover Road.”*

The reason is given as *“To make provision for parking accommodation for the adjoining properties.”*

It is not clear as to the background justification for the condition. Notwithstanding this the application is assessed in reference to the current Development Plan and representations made in respect of the existing parking arrangements.

The application site is centrally located within Winchester City Centre within easy walking distance from local amenities, and public transport. Concerns have been raised regarding the loss of residential parking resulting in a need for parking elsewhere in the locality. It is acknowledged that lifting the condition may result in a loss of residential parking to the adjoining properties however such potential loss of parking is not considered to result in any significant harm to the freeflow of traffic and safety of the highway. The neighbouring properties that would be impacted are a short distance from the town centre, local bus routes, local amenities and the train station.

**Case No: 19/00618/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Policies CP10 and DM18 address parking and traffic. Both policies highlight that sustainable transport such as walking and cycling should be encouraged primarily, especially in sustainable locations such as Andover Road. The loss of the parking for the residents does not affect this aim. The spaces therefore would be absorbed into the business use of the site for Cromwell House within the red line boundary. It is however is not considered that a reason for refusal on the basis of providing unsustainable additional parking in Winchester can be substantiated given that the spaces have existed for a significant number of years already.

Of the original permission it is considered that condition 2 is still relevant therefore, it is recommended that this is retained.

Conclusion

The proposal accords with the development plan policies DS1, CP10, DM1 and DM18.

**Recommendation**

**Approve** subject to the following condition(s):

**Conditions**

1. The premises comprising not less than 14,000 sq. ft of floor space for use for car parking to be created by the said employment (being office premises by virtue of Section 73 of the Town and Country Planning Act 1971) shall be used for car parking and for no other purpose.

Reason: To comply with the requirements of the Office Development Permit originally and the Development Plan.

**Informatives:**

1. This permission is granted for the following reasons:  
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-  
Local Plan Part 1 Joint Core Strategy: DS1, CP10,  
Local Plan Part 2: DM1 and DM18
3. In accordance with paragraph 38 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;  
-offering a pre-application advice service and,  
-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

**Case No: 19/00618/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Appendix 1**

**Comments for Planning Application 19/00618/FUL**

**Application Summary**

Application Number: 19/00618/FUL

Address: Cromwell House 15 Andover Road Winchester Hampshire

Proposal: Application Reference Number: 76/00179/OLD Date of Decision:

22/07/1976|cr|Condition Number(s): 9.|cr|Conditions(s) Removal:|cr|The condition is unfairly onerous on the freeholder and is not appropriate in the context of the current planning framework and should be removed.|cr|n/a

Case Officer: Rose Lister

**Customer Details**

Name: Cllr Martin Tod

Address: 3 Weeke Manor House Loyd Lindsay Square Winchester

**Comment Details**

Commenter Type: District Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

- Residential Amenity
- Traffic or Highways

Comment: The application makes no serious case that this condition is onerous on the freeholder - but it will - without any question - be onerous on the affected residents.

It will also put extra pressure on residential parking while encouraging more business parking and movements in and out of the city centre - something that the council's recently adopted movement strategy and commitment to Park & Ride is designed to discourage.

The key policy consideration is Policy CP10 - which this proposal breaches. Specifically, the proposal:

- will NOT reduce demands on the transport network - since it will generate extra movements into the centre associated with the office parking
- it is clearly NOT designed to reduce the need to travel
- it does NOT encourage non-car modes particularly walking and cycling

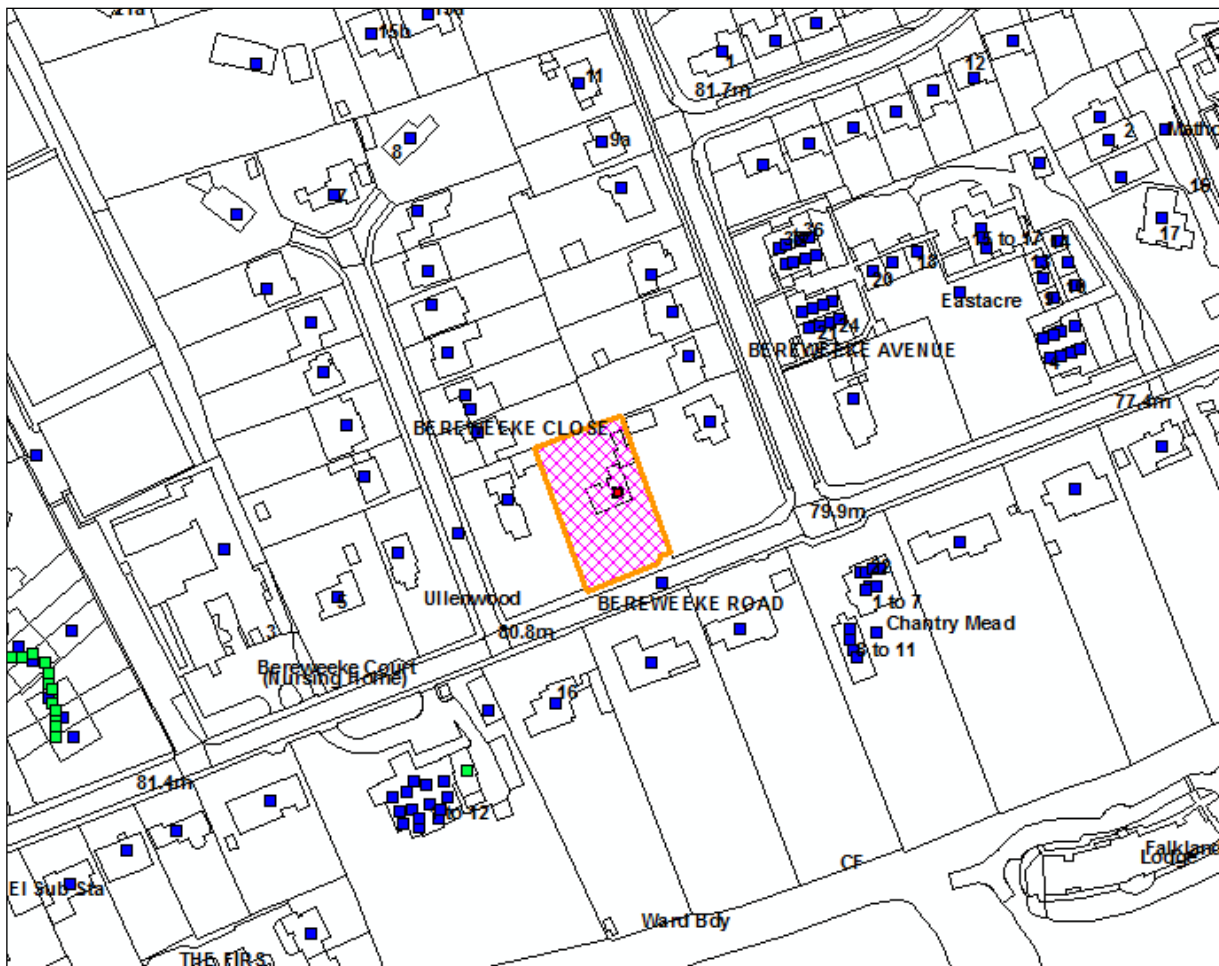
Finally, it establishes an appalling precedent. If businesses are able to remove conditions previously established for good reasons - when there are no reasons other than corporate greed to do so - and no change in circumstances which would mean that the condition is no longer valid, then conditions effectively cease to have any meaning and we can expect a rash of these applications from other developers.

To this end, if the officer responsible for this application is minded to support the proposal, I formally request that the application be referred to the Planning Committee for decision.

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## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 18/02927/FUL  
**Proposal Description:** Demolition of existing garage, store and utility room. Single storey extension to the front of the existing house. Alterations to the roof and fenestration of the existing house. New dwelling on the land to the rear.  
**Address:** Homewell, 7 Berewecke Road, Winchester, SO22 6AN.  
**Parish, or Ward if within Winchester City:** St Barnabas  
**Applicants Name:** Mr & Mrs Dickens  
**Case Officer:** Catherine Watson  
**Date Valid:** 24 December 2018  
**Recommendation:** Application Refused



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WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**General Comments**

**Application is reported to Committee due to the number of letters of support received, contrary to the officer's recommendation to refuse.**

**Site Description**

The site is within the existing residential curtilage of 7 Bereweeke Road, Winchester, which measures approx. 1255sqm in area. It is situated within a residential suburb of Winchester which is largely characterised by detached dwellings situated within spacious plots with substantial gardens to the front and verdant boundary treatments.

The existing dwelling is set back from the road, towards the centre of the plot. To the front (south-east), side (south-west) and rear (north-west) is garden, including beds and areas laid to lawn. Along the eastern boundary of the site is an access, drive and parking area bordered by evergreen hedging. Along the front boundary with Bereweeke Road is a mature, mixed species hedge.

**Proposal**

The proposal is for a new, 3 bedroom dwelling to the rear of the plot. The form of the proposed dwelling is predominantly single storey, flat roofed and of a contemporary design, with an offset second storey box element. To the south-west of the dwelling is an area of patio and garden and to the south is a single garage and carport, with turning space and a bin store.

It is also proposed to make modifications to the existing dwelling, including a single storey extension to the south-east (front) elevation, the infilling of all windows, other than the downstairs shower room, on the north-west (rear) elevation and the addition of a first floor roof terrace to the south-east elevation. It is proposed to provide 3 parking spaces to the front of the existing house, to be accessed from the existing driveway from Bereweeke Road.

**Relevant Planning History**

None relevant.

**Consultations**

Engineers: Drainage:

The site is in Flood Risk Zone 1 and at very low risk of surface water flooding. There is a foul sewer for foul drainage. Soakaways and permeable hardstandings should be investigated for surface water drainage and infiltration testing results will be required, should the application be permitted.

Engineers: Highways:

The existing access is to be retained for both the existing and proposed dwellings and the access onto Bereweeke Road is acceptable to serve the two units. Adequate car parking has been provided for both dwellings.

**Case No: 18/02927/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Southern Water:

No objections but a formal application to connect to the public foul sewer should be made by the applicant/developer. A plan of the water main records shows the approximate position of a public water distribution main and hydrant within the site. No construction, excavation, mounding or tree planting should be carried out within 6 metres of the public water apparatus without consent from Southern Water.

**Representations:**

City of Winchester Trust:

The position of the existing house in the centre of the site means that the area for the proposed new house is restricted and very close to the boundary. The modern style of the new house is pleasing but it is recognised that the siting of the new house is a concern to the neighbours and it is hoped that the impact on them will be carefully considered by the Planning Department.

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

- Incompatible with the pattern of development in the area;
- Proposed new dwelling out of proportion to the size of plot;
- Existing screening for neighbouring properties will be removed;
- The proposed dwelling has a “stark” design;
- It is only 1m away from the boundary with 14 Berewecke Close;
- The proposed contemporary extension to the front of the existing dwelling is out of character with the original property;
- The amount of infill development is changing the character in the Berewecke area.

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

- An infill dwelling to the rear of the existing property is a more desirable option than selling the whole plot, where it could be more intensively developed;
- There is a restrictive covenant on site which limits development to two dwellings so it would not be possible to more intensively develop the site.

14 letters of support received.

- The design is sympathetic to the location and retains the green frontage;
- Future tree planting proposed will encourage wildlife and ecology;
- It is well designed and there is a minimum impact from the highway.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles

WT1 – Development Strategy for Winchester Town

CP1 – Housing Provision

CP2 – Housing Provision and Mix

CP13 – High Quality Design

CP14 – Effective Use of Land

CP16 – Biodiversity

**Case No: 18/02927/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

WIN1 – Winchester Town  
DM1 – Location of New Development  
DM2 – Dwelling Sizes  
DM15 – Local Distinctiveness  
DM16 – Site Design Criteria  
DM17 – Site Development Principles  
DM18 – Access and Parking

National Planning Policy Guidance/Statements:  
National Planning Policy Framework

Supplementary Planning Guidance  
High Quality Places SPD  
Parking Standards SPD

### **Planning Considerations**

#### Principle of development

Policies DS1, WT1 and CP1 of LPP1, as well as WIN1 and DM1 of LPP2, support new residential development in the built up area of Winchester Town, subject to other material planning considerations. In particular the specific constraints of the site and its impact upon the character of the surrounding area and neighbouring properties who are in close proximity. The proposed dwelling will meet Code for Sustainable Homes Level 4 for Energy and Water and PV panels, along with rainwater collection goods are also proposed to be installed.

#### Design/layout

The new dwelling is situated in the rear third of the existing residential curtilage, behind the existing house. The rear garden is a raised platform and slopes up towards the boundary with no. 14 Berewecke Close. It is proposed to sink the new dwelling down to reduce visual prominence and the effects to neighbouring properties.

The dwelling is contemporary in design and consists of a single storey, flat roofed ground floor with an inset second storey. Proposed materials include white render and timber cladding with dark grey windows, which will also be utilised for the proposed front extension to the existing dwelling.

The dwelling will be accessed by means of the existing driveway, which runs past the main house and curves round behind it; parking will be provided by a garage and carport adjacent to the dwelling. A contemporary design approach is acceptable in principle, including the works to the existing house, provided that high quality materials and detailing is used, as stipulated in the High Quality Places SPD.

Notwithstanding this however, it is not considered that the proposed sub-division of the plot, with the new dwelling situated to the rear of the existing, is appropriate or acceptable in this location.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

The size, layout and amount of dwellings on the site is considered to be out of keeping in this location, contrary to policies CP2 and CP14 of LPP1, DM15, DM16 and DM17 of LPP2 and the High Quality Places SPD. As noted above, the general pattern of development in the area is that of large, detached properties with a road frontage and set within spacious gardens. This proposal does not accord with that prevailing character.

The proposal is considered to result in a very cramped form of development within the site, as can be evidenced by the close proximity (1m) of the new dwelling to the boundary with 14 Berewecke Close. No clear contextual justification has been submitted by the applicant showing how the siting of the proposed dwelling has been considered in terms of the constraints within the site (ground levels, proximity to existing dwelling, access, amenity space and proximity to neighbours). The proposed dwelling is very close to the existing dwelling when viewed from Berewecke Road, with a distance of only 7m between the rear of the existing and the front of the proposed dwellings. The proposed dwelling is also noticeable from Berewecke Avenue, where the second storey element is prominent when viewed from no 1.

Impact on character of area and neighbouring property

The spatial characteristics of the surrounding area are noted above. The prevailing character of the immediate area is derived from the quadrant of development between Berewecke Close, Road and Avenue with some variety in the spatial characteristics further east and west. There is a strong verdant character along Berewecke Road with detached dwellings visible.

The applicant makes reference to a recent appeal decision at land adjacent to 15 Berewecke Close (17/02356/FUL), which was allowed for the construction of a new dwelling on the land immediately to the west of 7 Berewecke Road.

Whilst the appeal decision is a material consideration, it is not considered that the proposals are directly comparable. The permitted new dwelling at the appeal site retains a road frontage and is sited to the side of the existing dwelling. The Inspector also concluded that it would be well screened behind existing mature landscaping and established trees and in this context would not be unsympathetic to the streetscene, or appear cramped when taking into account the overall character of the area. This cannot be said of the current proposal. The proposed house will be shown sat very close behind the existing, as shown in the applicant's photomontage taken from Berewecke Road and also, Berewecke Avenue, where the second storey element is overly prominent in relationship to the garden amenity area and associated outbuildings of no 1. The close spatial relationship between the existing and proposed houses is not considered to be characteristic of the area, and the proximity to surrounding residential amenity space, particularly that of 14 Berewecke Close, is considered to be unneighbourly and a further indication that the site is constrained.

Concerns have been raised by the occupants of the surrounding properties – 14 Berewecke Close, 15 Berewecke Close and nos. 1 and 3 Berewecke Avenue – with regards to overlooking and loss of amenity caused by the removal of hedging and hard boundary treatments.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Views from the proposed windows into these neighbouring properties would be possible however, as the views would not directly look towards primary amenity space, being largely directed towards the rear of gardens etc, it is not considered that there would be a significant loss of privacy.

Part of the established boundary hedging along the northern boundary with 14 Berewecke Close is to be removed to facilitate the development. The hedging is mature and provides significant screening, which has recently been supplemented by a second, laurel hedge. It is considered that the loss of a landscaping due to its removal would cause a level of harm to the garden amenity of no 14.

Likewise, there are concerns from the resident of 1 Berewecke Avenue regarding the potential future pressure for the removal of the conifer hedge along the boundary with the proposed access drive to the new dwelling. Whilst it is acknowledged that the hedge is within the boundary of the application site, the existing close boarded fencing is in poor condition, which has caused some concern. This could be dealt with by way of condition should the application be approved.

The very close proximity of the new house to the boundaries of the neighbouring properties and loss of vegetation, the amount and height of the new dwelling that will be visible at close range from the neighbouring gardens, and the activity on the small size of site in relation to the size of the dwelling are considered to result in a dwelling cramped into this site which will result in harm to the character of the area with a cramped and unneighbourly relationship with the surrounding properties.

#### Landscape/Trees

The existing trees in the north-west corner of the site, along with an area of lawn, are proposed to be retained, as is the front garden and street boundary treatment. Concerns with regards to the hedging to the northern and eastern boundaries have been addressed above.

#### Highways/Parking

Adequate parking on site has been provided and the existing access has been assessed as appropriate and safe to be used by the occupants of both dwellings.

#### Ecology

Whilst no specific ecological constraints have been identified on site, insufficient information has been submitted with regards to ecological enhancement measures to be incorporated into the proposal. The new dwelling has a green roof, although it is not clear what form this will take. Further, the proposal will result in the loss of some of the established hedging and other than the planting of two new trees which will take some time to mature, no mitigation measures have been suggested. It is therefore considered that the proposal is contrary to CP16 in that it fails to maintain, protect and enhance biodiversity in the local area, or deliver a net gain in biodiversity.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Drainage

The site is within Flood Zone 1 and is at low risk of surface water drainage. Whilst the foul sewage would be connected to the mains system, insufficient information has been submitted with regards to disposal of surface water.

**Recommendation**

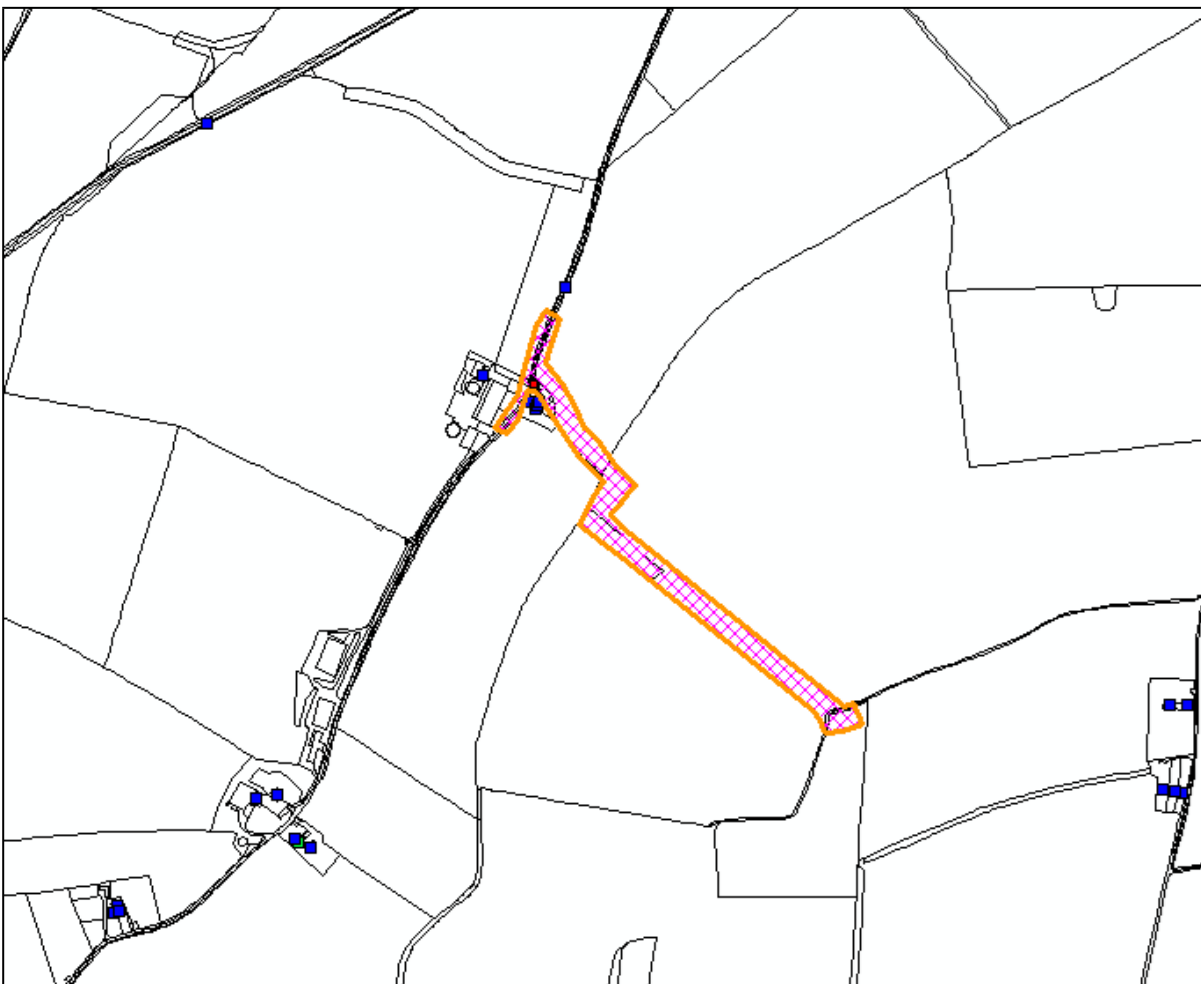
Application Refused for the following reason:

The proposal is considered to represent a cramped form of development within the plot and is not in keeping with the spatial characteristics of the surrounding area, thereby having a harmful and unneighbourly impact on the character of the area and surrounding properties contrary to policies CP2 and CP14 of LPP1, DM15, DM16 and DM17 of LPP2 and the High Quality Places SPD (policies UC2, GP1, GP4, GP8, AB3, AB6, HQS1-2, HQS9, HQB2).

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## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

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



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WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

## General Comments

Application reported to Committee due to a request from Cllr Horrill which is appended to the report. The committee item is deferred from the meeting held on January 9<sup>th</sup>, 2019. The item was deferred as members felt that insufficient information was received as to how the trackway impacted upon the high pressure gas pipeline.

## Site Description

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

## Proposal

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

## Relevant Planning History

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

## Consultations

### Engineers: Highways:

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

### Hampshire County Council Highways:

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

**Case No: 18/01917/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

objection.

Ecology:

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

**Representations:**

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

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

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

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

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

MTRA4 – Development in the Countryside.

CP16 – Biodiversity.

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

DM1 – Location of New Development.

DM10 – Essential Facilities and Services in the Countryside.

DM17 – Site Development Principles

DM18 – Access and Parking

DM23 – Rural Character.

National Planning Policy Guidance/Statements:

National Planning Policy Framework

**Planning Considerations**

Principle of development

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

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

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

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

Design/layout.

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

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

Impact on character of area and neighbouring property

**Case No: 18/01917/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

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

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

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

Landscape/Trees

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

Ecology.

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

Highways/Parking

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

With regards to traffic movements, subsequent information was provided by the applicant on 17.12.2018 stating that during the August 2018 harvest period a total of 108 lorries entered and exited the site (54 in and 54 out) with a peak usage of 18 in and 18 out over a two day period at the start of the month. It is considered that the avoidance of the villages of Weston Colley, Stoke Charity and Wonston which are characterised by narrow roads

**Case No: 18/01917/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

with buildings close to the carriageway edge would have a beneficial effect on these villages, reducing the amount of heavy farm traffic. Journey times would also be reduced, which would be beneficial for the operation of the applicant's business.

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

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

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

#### Other Matters

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

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

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

#### Outcome of deferred committee meeting.

The application was considered by the planning committee on January 10<sup>th</sup>, 2019. It was stated by the objectors at this meeting that the track had been constructed over a privately owned high pressure gas pipeline, which was not referred to in the application. Concerns were raised by local residents and subsequently, members of the committee, with regards to the safety and integrity of the pipeline which could be compromised by the passing over of heavy HGV farm machinery. The application was deferred for more information to be obtained with regards to the potential impacts upon the pipeline and so that the Council could consult with the Health and Safety Executive (HSE) as there was a public interest in the outcome of the investigation.

Following the deferral, the owner of the pipeline Humbly Grove Energy confirmed that they had not been notified by the applicant that the works had taken place and that they were conducting surveys of the pipeline to determine whether there had been any damage or whether there was likely to be damage in the future.

The outcome of this investigation was that there was a significant risk from the activities  
**Case No: 18/01917/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

on the track to the integrity of the pipeline and that remedial works were statutorily required to be undertaken by the applicant to mitigate against this.

The track crosses the pipeline in three locations – the exact points are advised to be confidential– and strengthening works were required above these points.

It was confirmed by Humbly Grove Energy in a letter dated 25<sup>th</sup> April, 2019 that the works had been carried out to their satisfaction and in an email dated 3<sup>rd</sup> May, 2019, Mark Leadbetter of the HSE also confirmed their satisfaction with the remedial works. There was no formal recommendation by the HSE or Humbly Grove Energy for approval however, it was confirmed that the undertaken works were sufficient to ensure that the pipeline was not adversely affected by the continued use of the trackway.

In conclusion, following a satisfactory outcome to the investigations into the impacts on the gas pipeline and taking the material planning considerations into account, the recommendation is that the application is permitted. No conditions, other than approved plans are deemed necessary as the application is retrospective.

**Recommendation**

Application Permitted subject to the following condition(s):

**Conditions**

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

Site Location Plan Dwg No 1842-100A received 07.08.2018  
Site Location and Block Plan Dwg No 1842-102A received 07.08.2018  
Site Location Plan Dwg No 1842-103A received 07.08.2018  
Site Access Plan Dwg No 1842-104A received 07.08.2018  
Site Access Arrangement Dwg No ITB14364-GA-001 A received 08.10.2018  
Swept Path Analysis – Combine Dwg No ITB14364-GA-002 received 08.10.2018  
Swept Path Analysis – Articulated Vehicle Dwg No ITB14364-GA-003 received 08.10.2018  
Figure 1 – Access to Public Highway received 17.12.2018

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

**Informatives:**

01 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.

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

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

**Case No: 18/01917/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

This permission is granted for the following reasons:

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

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Appendix 1**

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

From: Cllr Caroline Horrill

Sent: 03 December 2018 07:38

To: Lorna Hutchings

Cc: Julie Pinnock

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

Lorna,

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

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

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

Many thanks.

Kind regards,  
Caroline

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

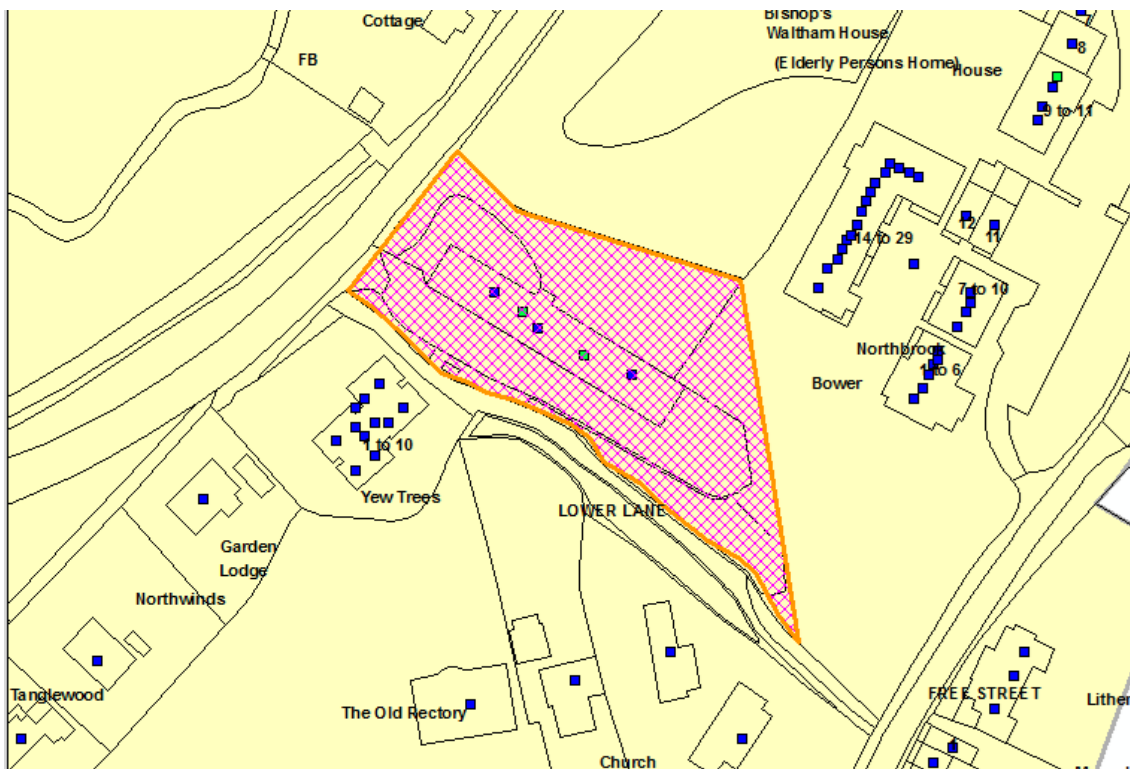
chorrill@winchester.gov.uk  
www.winchester.gov.uk

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## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 19/00077/FUL  
**Proposal Description:** (AMENDED PLANS 05.02.2019) Demolition of existing depot and construction of new modern steel framed 3 bay unit and associated parking and planting  
**Address:** Front Depot Lower Lane Bishops Waltham SO32 1AS  
**Parish, or Ward if within Winchester City:** Bishops Waltham  
**Applicants Name:** Mr Todd  
**Case Officer:** Lisa Booth  
**Date Valid:** 11 January 2019  
**Recommendation:** Application Permitted



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PLANNING COMMITTEE

**General Comments**

**Application is reported to Committee as the number of objections received was 5 (WCC Application – more than 1 objection refer to Committee).**

Amended Plans have removed reference to street lighting poles, as this was considered inappropriate.

Car parking spaces have been reduced/confirmation of visibility splays in line with Highway Officer comments.

**Site Description**

The site is a former depot building (class B1(c) use) owned by Winchester City Council within the settlement boundary and Conservation Area of Bishops Waltham. The existing warehouse is of single storey height and is unoccupied and in poor condition.

The site lies within an old cutting and the building sits on a flat area of land, with the land rising significantly towards the north, east and south boundaries. Public footpath no. 33 runs beyond the boundary fence of the southern boundary from Lower Lane to Free Street.

There are areas of trees to the north, east and south of the site. Vehicular access is from Lower Lane, with the front boundary being fencing behind mature trees and hedges and a double entrance gate. Parking/hardstanding is to the south of the building.

There are residential flats to the south and north-east of the site.

**Proposal**

The proposal is to demolish the existing buildings and replace with a more modern building within class B1(c) light industrial. The proposed building measures 12m wide by 56m in length. The ridge height is 8.4m and eaves height 5.6m. The existing building measures 10m by 57.5m, with a ridge height of 6.3 m and 4.25m to eaves.

25 parking spaces and 3 disabled parking spaces are proposed in front of the building and towards the eastern end of the site, interspersed with planting. Access will utilise the existing onto Lower Lane.

The proposed building will be moved at an angle from the existing building, to be sited along the line of the southern boundary. The proposed building will be approximately 25m from a residential block of flats, Yew Trees, approximately 6m further away than the existing building and 28m from Northbrook Bower to the east.

**Relevant Planning History**

DRD 536 – The erection of a vehicle depot – Permitted 15/07/1950  
**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

DRD 536/1 – Alterations and additions – Permitted 04/11/1965

78/00699/OLD - Change of use from transport to light industrial. PER 30th June 1978.

86/00466/OLD - Boundary fences and gates enlargement of container area. NOOBJ 7th August 1986.

03/02153/FUL - Change of use from maintenance and supply of pump and plant equipment to B2 (General Industrial) use. PER 24th October 2003.

12/01253/FUL - Change of use to allow B8 usage for storage of logs, wood chippings and maintain and store machinery; painting of external masonry, external bay for the storage of wood chippings. PER 8th March 2013.

### **Consultations**

WCC Engineers: Drainage: No Objection subject to conditions

The site is within Flood Zone 1 and there is a low to medium risk of surface water flooding to the south of the existing building. The geology is chalk.

There is a foul sewer available in the road, foul drainage should be directed towards this. Soakaways are proposed and should be designed for the 1 in 100 year storm event plus an allowance for climate change - infiltration testing is required to ensure the sizing is correct. Permeable hardstandings should also be investigated. No objections, subject to condition.

WCC Engineers: Highways: No objection

No objection to the principle of the proposal, it would appear that there is a significant over provision in on site parking, and further details of visibility splays need to be provided.

*An amended drawing was submitted which showed the required splays and the affect that this may have on the planting – the Engineer found these acceptable to overcome initial concerns. Parking numbers have also been reduced from 31 to 28 (including 3 disabled spaces) which is now acceptable.*

WCC Head of Environmental Protection (Noise): No objection

Site has history of commercial use; accepted noise report not necessary, providing appropriate hours of use can be agreed. Lighting scheme needs further detailed consideration, can be achieved through condition.

No objection, subject to conditions.

WCC Head of Environmental Protection (Contamination): – No objection subject to conditions

Whilst noting that the report concludes the site falls within characteristic situation 1 and that no gas protection measures are required, reference has been made to a Soils Limited Phase 1 Desk Study Report (Ref 15881/DS, Dated December 2016) and a Soils Limited Phase 2 Ground Investigation Report (Ref 15881/GIR, dated December 2016).

**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Historical Land Use information held by this Service reports the presence of a factory or works on this site from 1964, with an area of unknown filled ground reported prior to this. Given this, I am not able to support the findings of the soils-gas risk assessment until I have had an opportunity to review the preceding Phase 1 and Phase 2 reports and would recommend that the following conditions be attached to any consent granted. These recommendations could be modified if the Phase 1 and Phase 2 reports are submitted for review prior to the application being determined.

WCC Head of Historic Environment: No objection

The existing building is of no architectural merit and its replacement with a building of an equal or improved appearance would be supported. Similarly, the site lies in an old cutting and although glimpses of the site are afforded from the adjacent footpath connecting Lower Street to Free Street, the site is generally obscured by the rising hillside and trees. Consequently, the impact of the replacement depot on the character and appearance of this part of the conservation area would be considered low.

WCC Head of Landscape: No objection subject to conditions

Landscape - There will be a change in appearance when seen from the B3035 and there will probably be some clearance of vegetation at and around the entrance. However it is not considered that the changes to the character and appearance of the site would be so significant as to be harmful. A landscape scheme of planting is being proposed. The main issues appear to be outside the remit of this office and more to do with effect on trees, effect on neighbours and effect on wildlife. With this in mind it would perhaps be desirable to omit the street lighting and use only low level bollard lighting as street lighting can have a considerable effect on both neighbours and wildlife. No objection subject to a revised lighting plan. (*Revised lighting plan submitted – 5 m pole lighting removed*)

WCC Head of Landscape (Trees) – No objections, subject to conditions.

WCC Head of landscape (Ecology) – No objection subject to conditions

One tree located on the northwest boundary of the site was identified as having moderate suitability for roosting. It is likely that this tree will be retained within the development, however given the close proximity to the proposed works there is potential for roosting bats (if present) to be disturbed. Therefore further bat surveys are required prior to determination.

Given that the proposed works are situated adjacent to semi-natural mixed woodland. A construction method statement (CMS) is required to ensure that this habitat and any protected species within it are not negatively impacted by the development.

Further bat surveys to be carried out and subject to conditions.

**Representations:**

Bishops Waltham Parish Council:

No objection in principle but if WCC is minded to approve would request the following conditions:

- Highways to comment on the safety aspect of the site.

**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

- Reasonable hours of work to be specified, no Sunday working.
- Low level lighting only to lessen the impact on residents and wildlife.
- Review of the number of car parking spaces - exceeds current WCC guidelines.
- Tenancy should be limited to appropriate businesses for a residential area.
- Concern was raised over WCC considering and determining an application submitted by WCC.
- Committee requested that the application should be considered by an alternative authority in the interest of fairness and transparency.

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

- Noise
- Residential amenity
- Traffic/Highways
- Although used as business purposes in past, time has moved on – now residential area
- Should be on outskirts of Bishops Waltham
- Higher than existing building – would be overlooked
- Parking provision too high
- Been at least one accident along road – foresee traffic emerging from/turning into site causing problems – Should reduce speed limit from 40mph to 30mph.
- Should be restrictions on working hours and who can use units
- Heavy traffic movement will create a high level of noise and disturbance
- Inappropriate to site industrial next to residential
- 5m high street lights – will create light pollution – should only be low level lighting
- Disruption to wildlife
- Site should be for residential instead.
- Should improve current footpath as a gesture of goodwill
- As it is a WCC application, should not be decided by WCC.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy

- DS1, MTRA1, MTRA2, CP8, CP9, CP10, CP11, CP13, CP14, CP16, CP20

Winchester Local Plan Part 2– Development Management and Site Allocations

- DM1, DM15, DM16, DM17, DM18, DM19, DM20, DM21, DM27

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

Bishops Waltham Village Design Statement

Other Planning guidance

Movement, Access, Streets and Spaces

Parking Standards 2002

Winchester District Landscape Assessment

**Case No: 19/00077/FUL**

## Planning Considerations

### Principle of development

The site is within the settlement boundary of Bishops Waltham and also within a conservation area.

Policy CP9 of LPP1 seeks to retain employment land and premises in the District and will resist the loss of existing employment land and floor space within the Use Classes B1, B2 or B8. Policy MTRA1 also seeks to retain existing employment land and premises and MTRA2 supports economic and commercial growth to maintain the employment roles of the settlement and existing employment provision should be retained or improved to serve the settlements and their catchment areas.

The existing buildings are in poor condition and need updating to attract potential businesses that require modern day standards to be able to undertake their commercial trades. The use will be for class B1 (c) light industrial warehousing, with ancillary office on mezzanine areas, which is supported by policy CP9 of LPP1 and is similar to the existing use on the site.

Therefore, the principle of the replacement building for a class B1(c) use is considered to be acceptable and in accordance with local plan policies.

Parking provision has been reduced from 31 parking spaces to 28 (3 being disabled) and the Highway Engineer finds this acceptable and is therefore in accordance with Policy DM18 of LPP2.

### Design/layout

The proposal is to demolish the existing buildings and replace with a more modern building within class B1(c) light industrial. The building will provide 3 units.

The proposed building measures 12m wide by 56m in length. The ridge height is 8.4m and eaves height 5.6m.

The existing building measures 10m by 57.5m, with a ridge height of 6.3 m and 4.25m to eaves.

The design of the buildings, whilst being more modern in appearance, will also be more functional for modern day businesses than exists at present. Large roller doors (3.6m high by 2.9m wide) will provide direct access into the building for lorries to unload.

Materials will be black aluminium insulated roof panels and cladding panels on the walls, with brick plinth, roller doors grey window frames. Windows/openings will be situated to the front and ends of the building.

25 parking spaces and 3 disabled parking spaces are proposed in front of the building and towards the eastern end of the site, interspersed with planting.

Access will utilise the existing, with some minor alterations onto Lower Lane.

The proposed building will be moved at angle from the siting of existing building, to be sited along the line of the southern boundary.

**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

The design is considered to be commensurate to most modern industrial buildings. The height will be increased to be able to offer a mezzanine office/facility area and overall the design and layout of the proposal is considered to be acceptable.

The existing building is of no architectural merit and its replacement with a building of an equal or improved appearance is considered to be acceptable.

Impact on character of area and neighbouring property

The proposed building will be approximately 25m from a residential block of flats, Yew Trees, approximately 6m further away than the existing building and 28m from Northbrook Bower to the east. It is sited approximately 5 m from the road.

The front boundary hedge will screen a majority of the building from views from the road and retained trees and close boarded fence of views into the site from the footpath to the south. The footpath rises up as you walk towards Free Street, and is significantly higher than the site below.

Views of the site are limited to walkers, due to the close boarded fence along the path, but are generally obscured by the rising hillside and trees. Where views of the site can be seen, whether that be from the footpath, neighbouring flats, road or other surrounding dwellings on higher levels, the replacement building is not considered to be so significantly different in size and height that it will result in detrimental visual intrusion.

The proposed replacement building is not considered to impact on the character of the area, but will improve the appearance and the development as a whole and would assist to tidy up the overgrown site to the benefit of the area.

Some windows from Yew Trees do overlook the site, but the proposed building will be sited further away from them, which will reduce visual impact further and there is a significant gap of 25m between them. First floor windows at the front elevation to serve the mezzanine are further along the building, served by high level roof lights or facing the road, so views towards Yew Trees will be limited. The proposed building is not considered to result in any overbearing impact or overlooking issues on the nearby residents.

Noise/disturbance issues have been assessed by the Environmental Health Officer and will be similar to the existing use. Appropriate hours of use have been secured by condition and the submission of a detailed lighting scheme is to be requested. It is proposed to only use low level bollards, so it is not anticipated that there will be any impact on the amenities of the neighbouring properties in terms of light pollution or hours of operation.

Landscape/Trees

All trees are to remain, apart from one dead tree to be removed, with works to clear deadwood from other retained trees.

There is likely to be some clearance of vegetation, but it is not considered that it will detrimental alter the character and appearance of the site.

A landscaping scheme is proposed within the site to add additional landscaping and a condition has been added to control details of the planting.

**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Highways/Parking

Parking has been reduced in number from 31 to 28 spaces and the Highway Officer found this to be acceptable.

The size and width of the site and the building will restrict the size of any lorries that can access the site.

**Recommendation**

Application Permitted subject to the following condition(s):

**Conditions**

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

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

02 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as set out on drawing no: 168-D-13.

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

03 Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the use commencing. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details. The external lighting will not be switched on between the hours of 19:00 in the evening and 08:00 the following morning.

Reason: To protect the appearance of the area, the environment and local residents from light pollution.

04 No works shall take place outside the building.

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

05 No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site except between the hours of 0800 and 1900 Monday to Friday and 0800 and 1300 Saturdays and at no time on Sundays and Bank Holidays.

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

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

**Case No: 19/00077/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

07 No development shall take place unless otherwise agreed in writing until a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall conform to current guidance and best practice as set out in BS10175:2011 Investigation of potentially contaminated sites - code of practice; CLR 11 - Model procedures for the management of land contaminations; or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

- a) A desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;
- c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

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

Pre-commencement justifications

Where a potential for contamination to be present has been identified a site assessment is required to quantify risks to the developer during construction and to future occupants. It is important this is undertaken prior to development commencing to enable appropriate remedial solutions to be incorporated into the final design stage of the development (such as the need for contamination removal or treatment, design and installation of gas protection measures, the use / re-use of materials on site or the need for cover systems and to ensure protection to workers and the general public during the development.

08 Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person nominated in the approved remedial strategy shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the approved remedial strategy has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

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

**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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.

10 A Construction Method Statement (CMS) shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This should outline how demolition and construction phases will avoid, minimise or mitigate effects on the adjacent semi-natural mixed woodland. It should include physical barriers, normal working hours only (to minimise noise and lighting disturbance) and storage of any chemicals/ oils away from where spills could enter the woodland.

Reason: To ensure the integrity of the semi-natural mixed woodland is maintained and any protected species within the woodland are protected.

11 The mitigation measures recommended within section 6 of the Preliminary Ecology Appraisal (David Archer Associates, April 2019) shall be implemented during the construction period and enhancement provisions will be sited prior to the development coming into its intended use and retained thereafter.

Reason: To safeguard protected species and maintain biodiversity.

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

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

13 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

14 Protective measures, including fencing and ground protection, in accordance with the 'Tree Survey dated 26/10/2016 reference: 3188-053 written by Shawyers' and 'Tree  
**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Constraints Plan ref: 3188-053-TCP Rev. A' and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: To retain and protect the trees which form an important part of the amenity of the area.

15 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 848210.

Reason: To retain and protect the trees which form an important part of the amenity of the area.

16 No arboricultural works shall be carried out to trees other than those specified and in accordance with the 'Tree Survey dated 26/10/2016 reference: 3188-053 written by Shawyers' and 'Tree Constraints Plan ref: 3188-053-TCP Rev. A'.

Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

17 Any deviation from works prescribed or methods agreed in accordance with the 'Tree Survey dated 26/10/2016 reference: 3188-053 written by Shawyers' and 'Tree Constraints Plan ref: 3188-053-TCP Rev. A' shall be agreed in writing to the Local Planning Authority.

Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

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

Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

19 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 Local Planning Authority Tree Officer.

Reason: To ensure the protection of trees and hedgerows to be retained and in particular to avoid unnecessary damage to their root system.

20 The development hereby permitted shall be used for class B1(c) use and for no other  
**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

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

21 The building hereby approved shall achieve 'BREEAM Outstanding' standard and shall not be occupied until a final Certificate has been issued for it certifying that the standard has been achieved. The certificate shall be submitted to and approved in writing before the occupation of the development hereby permitted.

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).

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

Tree Constraints Plan -Drwg No: 3188-053-TCP Rev. A  
Turning Head Vehicle Tracking - Drwg No: 020.0438.001 Rev. A  
Box Van Vehicle Tracking - Drwg No: 020.0438.002 Rev. A  
Box Van Tracking (Units 1-3) - Drwg No: 020.0438.005  
Visibility Splays - Drwg No: 020.0438.006

Proposed Site Plan - Drwg No: 168-D-06  
Proposed Site Plan - Drwg No: 168-D-07  
Ground Floor Plan - Part 1 - Drwg No: 168-D-08  
Ground Floor Plan - Part 2 - Drwg No: 168-D-09  
Roof Plan - Part 1 - Drwg No: 168-D-10  
Roof Plan - Part 2 - Drwg No: 168-D-11  
Site sections - Drwg No: 168-D-12  
Front Elevation -Drwg No: 168-D-13  
Rear Elevation - Drwg No: 168-D-15  
Side Elevation - Drwg No: 168-D-14

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

**Informatives:**

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.

**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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: DS1, MTRA1, MTRA2, CP8, CP9, CP10, CP11, CP12, CP13, CP14, CP15, CP16, CP17, CP18, CP19, CP20, CP21

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18, DM19, DM20, DM21, DM27

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

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

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

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

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

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

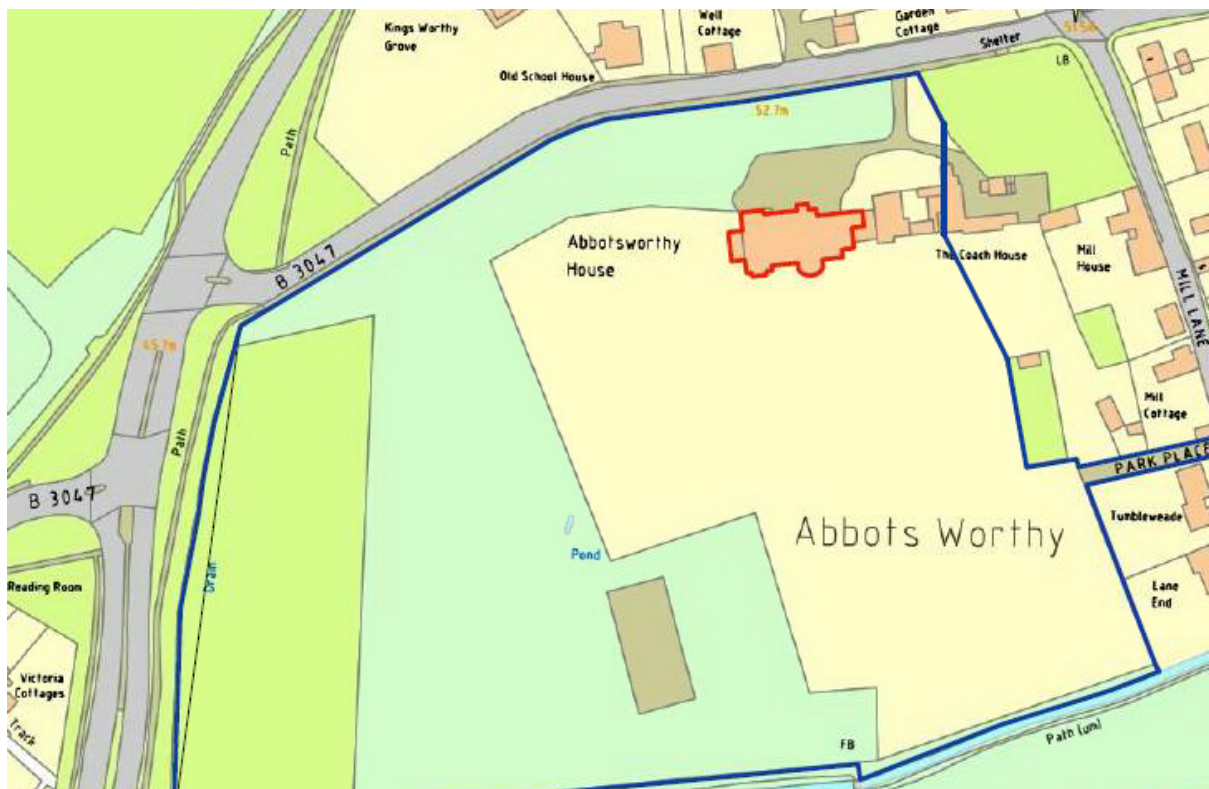
**Case No: 19/00077/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

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

**Case No:** SDNP/19/01331/CND  
**Proposal Description:** (Amended Plans) Removal/variation of condition 2 of approved planning permission Application Reference Number: SDNP/18/00679/FUL.  
**Address:** Abbots Worthy House, Martyr Worthy Road, Martyr Worthy, SO21 1DR  
**Parish, or Ward if within Winchester City:** Kings Worthy  
**Applicants Name:** Mr K Lakhpuri  
**Case Officer:** Mrs Sarah Tose  
**Date Valid:** 20 March 2019  
**Recommendation:** Application Approved



## General Comments

This application is reported to the Planning Committee at the request of a Ward Member (whose comments have been attached as an appendix to this report) and due to the number of representations that have been received that are contrary to the Officer's recommendation.

## 1 Site Description

Abbots Worthy House is a large Victorian building formerly a rectory, set within extensive grounds of approximately 5 hectares. It has been the subject of historic alterations and was partially rebuilt and remodelled in a Georgian Style in the 1950s following a serious fire which destroyed the original roof. The site is located on a corner plot between the A33 and the B3047, behind a Grade II listed wall. The house is in mixed use- the main part has a residential use and part of its west wing has lawful use as a day nursery. The building is set back from the highway behind mature trees and vegetation. The site lies within designated countryside, the Abbots Worthy Conservation Area and the South Downs National Park.

## 2 Proposal

This retrospective planning application seeks to vary condition 2 (approved plans) of approved planning permission SDNP/18/00679/FUL in order to regularise changes that have been made to the approved extension.

The changes can be summarised as follow:

- Increase in the height of the extension of 405mm.
- Increase in roof pitch.
- Addition of a dormer window within the eastern elevation of the mansard roof.
- Omission of a dormer window within the western elevation of the mansard roof.
- Re-siting of 3 dormer windows and re-siting and enlargement of 1 dormer window within the northern elevation of the mansard roof.
- Re-siting of dormer windows in the south elevation of the mansard roof.
- Reduction in number of roof lights from 4 to 3 and enlargement/ repositioning of the roof lights.
- Change in materials from timber windows, fascias and soffits to UPVC.
- Roof structure moved to the west.

The works have already been implemented through the construction of the external roof form and windows.

Amended plans were submitted on 8<sup>th</sup> May 2019 to address concerns raised by Officers and include the following changes:

- UPVC windows, fascias and soffits replaced with painted timber.
- Obscure glazing fitted to east facing dormer window.
- Glazing pattern in dormer windows amended to match the existing windows and as previously approved.
- Width of glazing in enlarged dormer window on north elevation reduced to align with window below.
- Roof lights fitted with tinted glass and sectional drawing provided to show 850mm boxed light well through the hall ceiling.



The Parish Council and neighbouring properties adjoining the site have been notified of the changes. Two site notices have been posted close to the entrance to Abbots Worthy House and on Mill Lane to the east to advise passers-by that amendments have been submitted. Any additional representations will be reported in the update paper.

### **3 Relevant Planning History**

DNP/13/00174/FUL - Close existing vehicular access onto the A33 and create new vehicular access onto the B3047 to serve the paddock  
STATUS: APP 16th April 2013.

SDNP/13/03297/FUL - 4 no. houses on land adjacent to A33 on the western edge of Abbots Worthy House, demolition and reconstruction of the eastern wing  
STATUS: WDN 28th August 2013.

SDNP/13/03298/CON - 4 no. houses on land adjacent to A33 on the western edge of Abbots Worthy House, demolition and reconstruction of the eastern wing  
STATUS: WDN 28th August 2013.

SDNP/16/03574/PRE - Addition of new mansard storey to main house and conversion of Abbots Worthy House into 5 no. dwellings, demolition of existing eastern wing and erection of 3 no. town houses, new access on to B3047 and provision of parking area behind the building. STATUS: PRE 24th October 2016.

11/01907/SFUL - Conversion of Abbots Worthy House in 10 no, dwellings and conversion of coach house into 2 no. dwellings; demolition of existing wing, outbuildings and garage and erection of new wing comprising of 4 no. flats, garaging with parterre and 35 no. parking spaces; erection of regency style building comprising of 8 no. dwellings for social housing and 12 no. associated parking spaces  
(RESUBMISSION) STATUS: REF 19th August 2014.

SDNP/17/01733/HOUS - Extension on the roof. STATUS: WDN 6th March 2018.

SDNP/18/00679/FUL - Partial Change of Nursery (Use Class D1) at Abbots Worthy House back to Residential Dwelling (Use Class C3) and extension to roof to create additional habitable accommodation. STATUS: APP 18th April 2018.

SDNP/19/00083/TCA - Works at per Abbots Worthy House Action Plan 2018. STATUS: NOOBJ 28th February 2019.

#### Enforcement history

The following timeline has been provided by the Enforcement team. The applicant's agent has also confirmed that there was a delay with the planning application being submitted as it was necessary for two separate structural

surveys to be carried out on the building. During this period the applicant needed to protect the original building by making the roof extension weather/water proof. The agent has confirmed that all non-essential work was put on hold pending the outcome of the application.

- 11/01/2019: Site visit x 2 Enforcement team members. Met with owner & son. Observed window to northern elevation larger and prominent. Told owner to stop work on that window and any further works were at their risk.

- 14/01/2019: Letter to owner requesting application to regularise site.

- 25/01/2019: Site visit x 2 Enforcement team members. Owner informed us that no further works had been done to the large window on northern elevation, however works to make roof watertight were on going. Also informed that agent would be submitting application in the following week. Owner was also told that any works on window to east elevation were at his risk and should stop.

- 29/01/2019: Telephone conversation with agent. Discussion regarding changes from approved plans.

- 01/02/2019: Telephone conversation with agent. Organised to meet on site.

- 07/02/2019: Site meeting with agent. Observed full site from outside and inside. Again explained that works were being undertaken at their risk.

- 22/02/2019: Telephone conversation with agent asking for application - informed that it had been delayed due to issues with drawings.

- 05/03/2019: Telephone conversation with agent asking for application - informed that it had been delayed further following payment and health issues.

- 18/03/2019: Application submitted (made valid 20/03/19).

#### **4 Consultations**

##### **Parish Council Consultee**

The Parish Council has no objections to this application, but would like to see the bi-fold doors changed to a Georgian style to match the other windows.

##### **WC - Historic Environment Team**

No objection, subject to the use of traditional materials.

#### **5 Representations**

10 representations have been received from 9 households objecting to the application for the following reasons:

- Up to 13 unauthorised changes have been made to the north, east and west elevations of Abbots Worthy House.
- Unclear why new roof frame had to be higher than the approved plans.
- Why was the approved roof pitch not maintained?
- Retrospective application submitted over 10 weeks after it was requested.
- Works continued on the roof prior to application being submitted.
- New east facing dormer would overlook The Coach House.
- Light pollution from enlarged skylights
- The enlarged/repositioned dormer window on the north elevation has been extended forward and is not well proportioned.
- Design is imposing and unattractive.
- Loss of privacy for Well Cottage from enlarged and re-positioned windows on north elevation.
- White UPVC windows are being used.
- North elevation is not Regency in style and is imbalanced.
- Character of house not respected.
- No regard for the house or neighbours.
- Council Officers should never have allowed the work to continue.
- Builder must amend the building in line with previously agreed plans.
- Eyesore dominating the skyline.
- Devalue properties in the area.
- Restrict natural light to adjacent properties.

## 6 Planning Policy Context

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

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

Other plans considered:

- Kings Worthy and Abbots Worthy Village Design Statement (2007)

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

### National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

## 7 **Planning Policy**

### Relevant Government Planning Policy and Guidance

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

### National Planning Policy Framework (NPPF)

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

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment
- NPPF16 - Conserving and enhancing the historic environment

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

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

The following policies of the **Winchester District Local Plan Review (2006)** are relevant to this application:

- CE23 - Extension and Replacement Dwellings
- DP3 - General Design Criteria
- HE5 - Conservation Areas - Development Criteria
- DP4 - Landscape and the Built Environment

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

- MTRA3 - Other Settlements in the market Towns and Rural Area
- CP13 - High Quality Design
- CP19 - South Downs National Park
- CP20 - Heritage and Landscape Character

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

- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design

- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD15 - Conservation Areas
- Development Management Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings

#### Partnership Management Plan

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

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

- General Policy 1
- General Policy 3
- General Policy 9

#### The Draft South Downs National Park Local Plan

The Pre-Submission version of the **South Downs Local Plan** (SDLP) was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications from 1<sup>st</sup> February 2019 to 28<sup>th</sup> March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.

## **8 Planning Assessment**

### Principle of development

The principle of extending dwellings in the countryside is accepted by saved policy CE23 of the 2006 Local Plan and emerging Policy SD31 of the SDLP. The principle of adding a second floor extension to Abbots Worthy House has already been accepted by the previous extant planning approval SDNP/18/00679/FUL.

A number of unauthorised changes have been carried out which are not in accordance with the approved plans. The applicant's agent has provided the following explanation regarding the need for these changes:

### *Alterations to the roof height and pitch*

Following the grant of planning permission a structural engineer was commissioned to gain building regulations approval for the roof structure. As part of this process it was discovered that the existing wooden roof beams

were unable to offer sufficient support to the new second floor structure. The replacement of these beams would have been very costly and their removal posed a serious risk to the structural integrity of the building. It was decided that an alternative approach would be to construct a suspended steel framed structure that would be fixed to the original fabric of the building, but sitting on top of the existing wall heads and ceiling structure. From this steel frame the mansard roof could be constructed. This has resulted in the height of the mansard roof being 0.405m or 405mm higher than the approved plans, which is illustrated by the approved building regulations plan.

The applicant required wider drainage gullies around the mansard roof to enable safe maintenance. This decreased the floor area and as such the pitch increased to create sufficient head height of 2.4m, as illustrated by the submitted sectional plan.

*Addition of a dormer window within the eastern elevation of the mansard roof*

The new dormer in the eastern roof plane is required to create a light source over the staircase and is in an elevated position to the stair level. The applicant's agent has stated that no overlooking is possible, however to address concerns this window will be obscure glazed.

*Omission of a dormer window within the western elevation of the mansard roof*

This was a result of the structural bracing required for the roof extension.

*Re-siting of dormer windows*

The agent has advised that the windows have been repositioned and redesigned to better align with the windows within the existing dwelling. A change to the glazing pattern of the new windows has been secured in the amended plans which show that the windows now have a similar appearance to those in the existing dwelling.

*Re-siting and enlargement of 1 dormer window within the northern elevation of the mansard roof*

The agent has confirmed that the enlarged dormer window is purposely set to align with existing windows and the main entrance of Abbots Worthy House.

*Reduction in number of roof lights from 4 to 3 and enlargement/ repositioning of the roof lights*

The proposed floor plan shows an internalised central hallway with roof lights providing the only light source. The approved plans show 4 rooflights. The as built plans show a reduction to 3, albeit they are slightly larger. In such a long narrow hallway several roof lights are required to provide sufficient natural light. Although light will filter along the hallway, there is no direct light source for the stairwell, which given the age of the building is much more grand than traditional stair cases (it is wider, and deeper due to the separation between floors) and as such the proposed eastern dormer was considered necessary by the applicant to provide additional light. The amended plans now show these windows to be flat rather than the approved atrium/pyramid style to reduce their visibility.

*Change in materials from timber windows, fascias and soffits to UPVC*

This change was made for maintenance purposes.

*Roof structure moved to the west*

The approved gross internal floor area of the new second floor amounts to 176.8m<sup>2</sup>. The 'as built' gross internal floor area is 159m<sup>2</sup> representing a reduction of 17.8m<sup>2</sup>. Drawing "01 Rev 2 as built roof plan" illustrates how the floor space has altered from that previously approved. The position of the second floor has shifted slightly due to the repositioning of the staircase.

The position of the staircase and the windows/rooflights have all been dictated by the revised steel structure for the second floor and the cross bracing that it requires. The agent has confirmed that the changes are a result of structural requirements rather than the personal preference of the applicant.

Impact on the character and appearance of the existing dwelling,  
Conservation Area and South Downs National Park

The building is set back from the public realm in large grounds behind a Grade II listed wall and mature trees and vegetation. The alterations to reinstate a second floor with bedroom accommodation were accepted in the previous approval which concluded that the works would not be harmful in the wider public realm nor would cause harm to the character of the Conservation Area.

The development has not been implemented in accordance with the approved plans, as outlined above, so a new assessment of the scheme has been made based on the amended plans received 8<sup>th</sup> May 2019.

The Council's Historic Environment Officer has assessed the application. The building has previously been significantly damaged by fire and has also been subject to extensive physical alterations. Consequently, there is little surviving historic fabric other than the outer visual envelope and the building is not considered to be sufficiently well preserved or to be of sufficient architectural value to be considered to be a non-designated heritage asset. Consequently, the only issues in Historic Environment policy terms is whether the proposed changes to the permitted scheme are considered to cause harm to the overall character of the Abbots Worthy Conservation Area. The small increase in height of the mansard roof by 405mm and the change in the roof pitch, when looked at in context of the scale and massing of the building, is considered to be negligible in terms of the overall character of the Conservation Area. In addition, the proposed changes to the fenestration (as amended) are not considered to detract further from the character of the Conservation Area than the previously consented scheme.

The roof extension on the consented scheme was proportional to the Georgian architecture of the surviving façade of Abbots Worthy House, with the fenestration and detailing designed to complement the host building. This was allowed, subject to the approval of materials, as it would not have caused harm to the overall character of the Abbots Worthy Conservation Area. Although the constructed scheme is less elegant than the originally consented

scheme, the changes that have been made are not considered to be harmful enough to detract from the overall character of the Abbots Worthy Conservation Area. Consequently, as the proposed changes to the scheme will cause less than significant harm to the overall character of the Conservation area, there are no grounds for refusal in Historic Environment policy terms, provided that the second floor extension is completed in traditional materials.

The use of UPVC windows was considered unacceptable due to the location of the building in the Conservation Area and National Park. The applicant's agent has confirmed that painted timber windows, fascias and soffits will now be used. Condition 2 is recommended to ensure that this is carried out.

The glazing pattern in the dormer windows as originally submitted was not considered to be in keeping with the existing building due to the high number of glazing bars and window panes proposed. The amended plans have reduced the number of window panes in each dormer to match the glazing pattern in the existing building and as previously approved, which would be a considerable visual improvement.

Concern was also raised about the extent of glazing in the enlarged dormer window on the north elevation, both in terms of visual appearance and light spillage. The amended plans show that the glazing in the dormer has been reduced in width to align with the windows below. It is considered that this change will reduce the prominence of the enlarged window and will also marginally reduce the amount of night time light spillage.

In summary, the changes to the approved extension shown on the amended plans are not considered to be significantly harmful to the character and appearance of the existing dwelling, the surrounding Conservation Area or the South Downs National Park. As such, the proposals are not considered to warrant a refusal of planning permission in this case.

#### Impact on residential amenity

Strong concern has been raised about the impact of the development on the amenities of Well Cottage, which lies directly opposite the site to the north. Whilst the neighbouring cottage itself is screened from Abbots Worthy House by intervening trees and vegetation, as its rear garden slopes upwards to the north the second floor extension is therefore visible from the neighbour's garden. Of particular concern to the neighbour's amenities is the enlarged dormer window on the north elevation of the house. Although it is acknowledged that the neighbour's outlook has changed as a result of the works that have been carried out, as Well Cottage's garden lies over 40m away from the development, partially behind intervening vegetation, it is not considered that any harmful overlooking would occur. As such, a reason for refusal on this basis could not be substantiated. The reduction in the width of the glazing in the enlarged dormer will help to minimise the perception of overlooking from this window.

The original approval included a condition to ensure that the bathroom and en-suite windows on the north elevation of the development were fitted with



obscure glazing so this condition has also been applied to this revised application (recommended condition 4).

Concern has been raised about the new dormer window on the east facing roof slope resulting in overlooking to The Coach House to the east. Condition 3 is therefore recommended to ensure that this window is fitted with obscure glazing and is non opening.

Due to the separation distances between Abbots Worthy House and neighbouring properties, the development would not result in any overshadowing or overbearing impacts.

#### Impact on dark night skies

The South Downs National Park is a designated International Dark Sky Reserve so any new development must incorporate measures to minimise light intrusion. The applicant has agreed to use low transmittance glass in the roof lights to minimise light spillage. The sectional plan submitted shows that the roof lights have an 850mm boxed light well through the hall ceiling which will also help to reduce light spillage. Condition 5 is recommended to ensure that details of low transmittance glass are submitted for approval and installed before the extension is occupied. With these proposed amendments, it is not considered that the development would result in an unacceptable impact on the dark night skies of the National Park.

## **9 Conclusion**

The changes to the second floor extension that was approved under application SDNP/18/00679/FUL, as shown on the amended plans received 8<sup>th</sup> May 2019, are not considered to be significantly harmful to the character and appearance of the existing dwelling, the surrounding Conservation Area or the South Downs National Park. The development is not considered to result in material harm to the amenities of neighbouring properties in terms of loss of privacy, light or overbearing impacts. The development would not have an unacceptable impact on the dark night skies of the South Downs National Park. For the reasons outlined above, the application is therefore recommended for approval.

## **10 Reason for Recommendation and Conditions**

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

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

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

2. All new window and door joinery details shall be painted timber in accordance with plan A3/AWH/03 Rev 2.

Reason: To preserve the character and appearance of the conservation area and the South Downs National Park in accordance with Policies CP19 & CP20 of the Winchester District Local Plan Part 1 - Joint Core Strategy (2013) and emerging Policy SD15 of the South Downs Local Plan- Submission (2018).

3. Prior to the occupation of the extension hereby approved, the dormer window in the east facing roof slope will be fitted with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4 and thereafter retained. The window will be fixed and non-opening.

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

4. Prior to the occupation of the extension hereby approved, the bathroom and en-suite windows on the second floor on the north elevation of the development hereby permitted shall be fitted with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4 and the glazing shall thereafter be retained in this condition at all times.

Reason: To protect the amenity and privacy of the adjoining residential properties and to accord with policy DP3.

5. The extension hereby permitted shall not be occupied until details of measures to reduce light spillage from the proposed roof lights (such as low transmittance glass) have been submitted to and approved in writing by the Local Planning Authority. The measures shall be installed prior to occupation in accordance with the approved details and retained thereafter at all times.

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

## **Informatives**

1. This permission is granted for the following reasons:

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

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

Winchester District Local Plan Review (2006): CE23, DP3, DP4, HE5

Winchester District Local Plan Part 1 - Joint Core Strategy (2013): MTRA3, CP13, CP19, CP20

South Downs Local Plan Submission (2018): Policies SD2, SD4, SD5, SD8, SD12, SD15, SD31

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

-offering a pre-application advice service and,

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

- In this instance amended plans were received to address Officer concerns.

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

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

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

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

limiting the hours of operation under The Control of Pollution Act 1974 may be served.

**11. Crime and Disorder Implications**

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

**12. Human Rights Implications**

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

**13. Equality Act 2010**

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

**14. Proactive Working**

The applicant's agent was advised of the Officer's concerns and amended plans have been received to address the issues raised.

### Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Date Received	Status
Plans - As Built Roof Plan Rev 2	A3/AWH/01		08.05.2019	Approved
Plans - South Elevation Rev 2	A3/AWH/02		08.05.2019	Approved
Plans - As Built North Elevation Rev 2	A3/AWH/03		08.05.2019	Approved
Plans - As Built West Elevation Rev 2	A3/AWH/04		08.05.2019	Approved
Plans - As Built East Elevation Rev 2	A3/AWH/05		08.05.2019	Approved
Plans - Proposed Floor Plan Rev 2	A3/AWH/06		08.05.2019	Approved
Plans - Second Floor Section Plan Rev 2	A3/AWH/07		08.05.2019	Approved
Plans - Location Plan	2188/01		19.03.2019	Approved
Plans - Building Regulations Drawing- Section and Details	030618/3		08.05.2019	Approved

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

**City Councillor's request that a Planning Application be considered by  
the Planning Committee**

**Request from Councillor:**

Cllr Jackie Porter, Itchen Valley Division

**Case Number:** SDNP/19/01331/CND

**Site Address:** Abbots Worthy House, Abbots Worthy, Winchester, Hants, SO21 1DR

**Proposal Description:**

Removal/variation of condition 2 of approved planning permission Application  
Reference Number: SDNP/18/00679/FUL.

**Requests that the item be considered by the Planning Committee for the following material planning reasons:**

The property has been developed in a way that is not in accordance with the originally approved plan which reflected the original building.

The application is for higher mansard floor, and for a different layout of windows, creating overlooking into a residents' property and it is to a design which is not in keeping with the historic nature of the building.

The original design was approved, but despite requests to stop as the new design emerged, the developer continued.

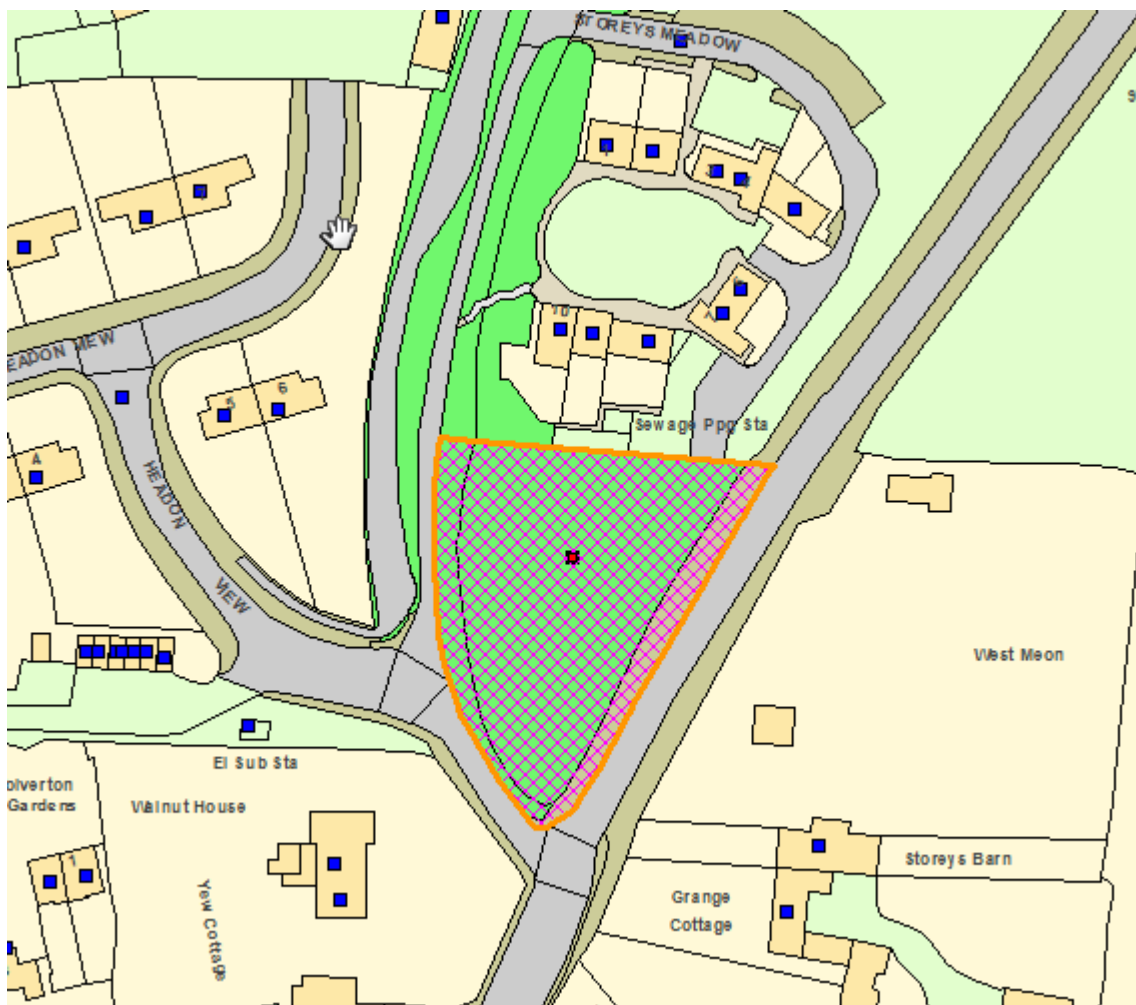
The property was considered to have had a high rating for SDNP enforcement because of its age and standing in a conservation area, but despite this, the developer continued work at weekends to progress this new design.

Preferred outcome:

This historic building is within the setting of a listed wall which has a battened entrance, which I believe should be renovated as a matter of course (in line with SDNP conservation/enforcement policies) as part of this planning application for aesthetic and air quality reasons.

The mansard roof is higher, but it is the variation in size of the large overlooking window position and size on the north of the building which the residents (who I am representing in this call in) tell me is causing them great distress. I am asking for the regular window shapes and sizes to be restored.

**Case No:** SDNP/18/05415/FUL  
**Proposal Description:** Erection of dwellinghouse with access onto Marlands Lane  
**Address:** Land Between Alton Road and Marlands Lane, West Meon, Hampshire  
**Parish, or Ward if within Winchester City:** West Meon  
**Applicants Name:** Naboth's Garden Ltd.  
**Case Officer:** Mrs Sarah Tose  
**Date Valid:** 22 October 2018  
**Recommendation:** Application Refused



## General Comments

This application is reported to the Planning Committee at the request of a Ward Member, whose comments have been attached as an appendix to this report.

## **1 Site Description**

The site comprises a triangular area of land located in a corner position between Marlands Lane and Alton Road (A32). It lies to the north of the village of West Meon and sits immediately outside the settlement boundary and Conservation Area. To the west of the site is Headon View, a cul de sac development of semi-detached dwellings. To the northwest lies the West Meon Village Hall and immediately to the north is Storeys Meadow, an exceptions housing scheme of 10 dwellings.

Marlands Lane forms the western boundary of the site. This road forms a junction with the A32 Alton Road. Running towards the northwest, it has a junction with Headon Way after which it reverts to a typical rural lane, generally narrow in width with high verges of trees and hedgerows. The A32 runs along the eastern site boundary, and beyond this further east is a large single building in extensive grounds. The settlement boundary runs north to contain the dwellings along Doctor's Lane.

The site is elevated above the level of both roads on steep banks with boundary trees and vegetation. The site slopes downwards towards the centre of the village. A large quantity of vegetation/trees has been removed or coppiced from the centre of the site since the previous application but mature trees remain on the boundary. The site does not benefit from any existing vehicular access onto Alton Road or Marlands Lane.

The village centre is situated approximately 200 metres to the south of the site. The site is 0.22 hectares in size and is located within the South Downs National Park.

## **2 Proposal**

The proposal seeks to erect a single storey dwelling of a modern design with undercroft parking with a new access off Marlands Lane.

## **3 Relevant Planning History**

SDNP/15/01924/PRE - Erection of 6no. dwellings with associated access, parking and landscaping. STATUS: WDN 30th April 2015.

SDNP/15/05317/FUL - Erection of 3no. dwellings with associated access and highway works, parking and turning space, landscaping and private amenity space. STATUS: REF 22nd July 2016.

SDNP/16/05787/FUL - Erection of 3no. dwellings with associated access and highway works, parking and turning space, landscaping and private amenity space (amended scheme following refusal of SDNP/15/05317/FUL). STATUS: REF 14th March 2017. Appeal dismissed 13th March 2018.



## **4 Consultations**

### **Parish Council**

OBJECTION on the grounds of:

- a) The site is outside the Settlement Policy Boundary of West Meon and sited in an important position at the gateway to West Meon.
- b) The single dwelling proposed is for open market housing - there is an established need for smaller affordable units in West Meon.
- e) The proposed visibility splays will require significant re-grading of existing topographical slopes onto Marlands Lane and highway concerns are raised.

### **WC - Drainage Engineer**

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk. The proposal for foul water drainage is to connect into a private sewer serving the development to the north. This can only be done with the permission of the owner of that system, for which we have no details. If an agreement cannot be reached with the owner of that system, a packaged treatment plant and drainage field must be investigated, and installed in accordance with building regulations. Soakaways are proposed for surface water drainage. These should be designed for the 1 in 100 year storm event plus an allowance for climate change. Infiltration tests are required. Hardstandings should be permeable where possible. Apply standard drainage condition.

### **WC - Ecologist & Biodiversity Officer**

The Stark Ecology Extended Phase 1 Ecological Survey which has been submitted is from August 2015, and therefore out of date. Ecological survey data should be sufficiently up to date (eg. not more than 2/3 years old). The report itself states that it is only valid for 12 months as features of ecological value can change. Dormouse surveys were undertaken from August 2015, so again are out of date. It should be confirmed that, in line with The Dormouse Survey Handbook guidelines, sufficient survey effort was undertaken and will be undertaken in any update. Bat surveys for roosting features within the boundary vegetation, as well as foraging and commuting surveys (and potential lighting impacts) are required. Badger survey is required.

NB: Following the Ecologist's request, an updated Extended Phase 1 Extended Phase 1 Ecological Survey dated 17<sup>th</sup> January 2019 by Stark Ecology Ltd was submitted. The Ecologist is satisfied with the proposals subject to the recommendations within the updated report being conditioned.

### **WC - Winchester Highways**

I have previously commented on an application for three dwellings on this site when I raised no highway objections. This application seeks just a single dwelling with access on to Marlands Lane. I am satisfied that adequate visibility can be provided at the site access, although there will need to be extensive regrading of the existing embankment to ensure that adequate

splays can be achieved. Any planning consent will therefore need to include the suggested highway condition.

### **WC Historic Environment (Archaeology)**

Archaeological remains possibly associated with the Bronze Age barrow and Anglo-Saxon cemetery known to the north (or other periods) may be present within the application site. Whilst the existing tree and scrub growth within the site may have resulted in some damage to any archaeological remains present, they would not have been removed in their entirety.

Consequently, as the proposed development will involve extensive groundworks across the application site (as indicated by the submission drawings), it will adversely affect any surviving archaeological remains that may be present within the site.

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

### **WC - Landscape**

I am happy with the proposed single dwelling, as the building form responds well to the site, in that its single storey nature will not result in an overly prominent building. However, the building will only be considered acceptable with a robust landscape scheme for the perimeter of the site, one that ensures that permanent boundary fencing/walls are provided and carefully sited with vegetation to the road side of it. This is because the site sits at a very prominent gateway to West Meon and the vegetated nature of the site forms an integral part of this. Planting should be native only, given its rural edge location, and boundary treatments need to reflect this character as well, but also be mindful of future residents' needs (e.g. potential for dog ownership and a secure boundary). I am satisfied that this can be dealt with by condition covering hard and soft landscape and boundary treatments. However, the applicant should note that no urbanising features (close boarded fencing/ ornamental planting or detailing of the entrance) would be accepted on this unique site.

## **5 Representations**

4 representations have been received supporting the proposal for the following reasons:

- Brownfield site. Preferable option to green field site.
- Should be classed as 'infill development'.
- Would help the housing shortage and village requirement for new houses.
- Not in open countryside as the site is surrounded by houses on all sides.
- Site adds nothing to the National Park and would benefit from development.
- Would have little or no impact on the village.
- Site lies behind the Storeys Meadow development so will not change the look of the entrance to the village.
- Land is currently disused.

- Family home would be well suited as there is a great need for young children in the village to maintain the local school.
- Modern design which fits in well with the rest of the village.

1 representation has been received raising the following comments:

- The modern design is not in keeping with the existing design of village.
- The site is more prominent due to location as a gateway to the village.
- Provided sufficient vegetation remains to prevent property being visible from road is then not an issue.
- Design of building has extensive glass and roof windows which will cause light pollution.
- Echo pre application advice points raised that house may encourage later felling of trees.

## 6 Planning Policy Context

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

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

Other plans:

- West Meon Village Design Statement (2002)

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

### National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

## 7 Planning Policy

### Relevant Government Planning Policy and Guidance

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

national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

#### National Planning Policy Framework (NPPF)

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

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

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

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

The following policies of the **Winchester District Local Plan Review (2006)** are relevant to this application:

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

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

- MTRA4 - Development in the countryside
- CP11 - Sustainable Low and Zero Carbon Built Development
- CP13 - High Quality Design
- CP16 - Biodiversity
- CP19 - South Downs National Park
- CP20 - Heritage and Landscape Character

#### Partnership Management Plan

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

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

- General Policy 1
- General Policy 3

## The Draft South Downs National Park Local Plan

The Pre-Submission version of the South Downs Local Plan (SDLP) was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications from 1st February 2019 to 28th March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.

The following policies are of particular relevance to this case:

- Strategic Policy SD25 - Development Strategy
- Core Policy SD2 – Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 – Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 – Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows

## **8 Planning Assessment**

### Principle of development

The site lies directly adjacent to but outside of the settlement boundary of West Meon. Policy MTRA 4 of the LPP1 restricts development in the countryside to that which has an operational need to be located there, in order to protect the rural nature of the landscape. New housing is not normally permitted, unless there is an essential need for it to be there such as housing for rural workers or affordable housing to meet a proven need.

The previous planning application for 3 dwellings SDNP/16/05787/FUL was partly refused on the basis that the principle of the development was considered to be contrary to policy MTRA 4.

The decision was appealed against and the appeal was dismissed for the reasons of harm to the landscape and scenic beauty of the National Park and the 'poor housing mix'.

However, the Inspector considered that the site was in a sustainable location and would not result in isolated homes. The appeal decision concluded that the housing would be located where it would enhance and maintain the vitality of rural communities and would not result in isolated homes, which the NPPF states should be avoided.

It was considered during the pre application stage for the proposed dwelling that the Inspector's conclusions would make it difficult for the LPA to substantiate an objection to the proposed new dwelling in terms of the principle of development.

The South Downs Local Plan (SDLP) is at an advanced stage and is due to be adopted in July 2019. As such, the emerging policies can now be given nearly full weight and this is a new material consideration since the previous appeal. The proposal falls outside both the existing and new settlement policy boundary which has been tested through the local plan examination. Policy SD25 'Development Strategy' of the SDLP identifies towns and villages that are able to accommodate growth and generally limits new residential development to within settlement boundaries. As the application site does not fall within a settlement boundary, the proposal would therefore not accord with emerging policy SD25 in terms of the principle of development, nor with Policy MTRA 4 of the LPP1.

It is acknowledged that in this particular case the site is surrounded by existing residential development so would not be encroaching into open countryside. The proposal is considered acceptable in all other respects (as discussed in the following sections). However any wider benefits would appear to be limited due to the application being for a 4 bedroom dwelling to be sold on the open market.

In summary, the principle of development cannot be supported in this case and is therefore recommended for refusal on that basis.

#### Design, scale and layout

The house design is contemporary and has a flat green roof with a basement garage for two cars and storage. It also has a large chimney and a raised roof light with side glazing serving the dining/family room with a smaller roof light serving the living room.

The proposed external materials include Hampshire flint bricks and vertical shiplap timber boarding on the walls along with facing bricks on the east elevation.

The height of the dwelling would range from approximately 2.4m to 4.4m (5.4m including the chimney). The proposed floor area is approximately 278m<sup>2</sup>. The accommodation is all on one level and the car parking area is on the basement level. The dwelling would have 4 bedrooms with the larger two having their own en-suites.

The dwelling is sited centrally within the plot with a garden area facing north. This orientation, along with the retained trees and shrubs, is likely to result in shaded areas. However, there is also a garden space to the south which provides for a terraced area. This south facing garden would receive more direct sunlight but is adjacent to the busy road and junction which would result in the need for fencing in addition to the 1-1.5m high wall to ensure privacy. A

small courtyard area is proposed in the middle of the dwelling with a pergola style roof that would provide a sheltered amenity space for future occupants.

The scale, design and layout of the development are considered acceptable. Although the dwelling would be large, its footprint is not dissimilar to other detached properties sited in large plots on the edge of the village. The contemporary design incorporates a number of flat roof and lean-to elements which would add interest to the building. A green roof is proposed, together with natural materials that are considered appropriate for the rural village location.

#### Impact on the landscape character of the South Downs National Park.

The site forms part of a wooded corridor that marks the northern entrance and exit from West Meon, along the A32 (Alton Road). It also forms part of the wooded surroundings to the village, as described in the West Meon Village Design Statement (2002), which states that West Meon is a settlement with a distinct core and naturally defined boundaries.

The proposed scheme would retain the existing boundary trees and vegetation which would be supplemented and strengthened by new planting. The single storey dwelling would be located centrally within the site and set away from boundaries. It would range in height from approximately 2.4m to 5.4m so would not be visually prominent in views into and out of the village along Alton Road (A32) as it would be largely screened by boundary planting.

The Landscape Officer has not objected to the proposal but emphasises the importance of a robust landscape scheme for the perimeter of the site, which ensures that any permanent boundary fencing/walls provided are carefully sited with vegetation towards the road side. The site sits at a very prominent gateway to West Meon and the vegetated nature of the site forms an integral part of this character.

The proposed access way from Marlands Lane would not significantly impact on the trees on the upper part of the bank. An image showing the proposed access has been submitted with the application. It is not considered that the works required to facilitate the access would result in an adverse impact on the character of the lane. Some regrading of the banks is inevitable to facilitate the formation of the access but the applicant's agent has confirmed that the visibility splays can be achieved without substantial regrading works.

The National Park is an International Dark Sky Reserve. The two roof lights are raised up with side glazing proposed instead of upward facing glazing, to reduce light spillage. However, large expanses of glazing are proposed on the west elevation of the dwelling so it is considered reasonable to request the use of low transmittance glass or black out blinds to minimise light spillage. This issue could be controlled by condition if the application was being recommended for approval.

The proposed development is therefore not considered to have a harmful impact on the landscape character and natural beauty of the South Downs National Park.

#### Impact on highways

The proposal includes a new access onto Marlands Lane. The Highway Engineer has raised no objection to the scheme subject to a condition securing adequate visibility splays. The development is therefore not considered to have an adverse impact on highway safety.

#### Local residential amenity

The proposed dwelling is not considered to result in any neighbour amenity issues as it would be sited a sufficient distance away from neighbouring boundaries and would be single storey in height. The existing and proposed boundary treatment would also help to screen the development from neighbouring properties.

#### Impact on trees

There are a number of trees and vegetation on site which contribute to the rural nature of the National Park and they must be protected and retained wherever possible. An Arboricultural Impact Assessment and Method Statement dated 17/10/18 has been submitted with the application and the recommendations within this report could be covered by conditions if the application was being recommended for approval.

#### Impact on ecology

An Extended Phase 1 Ecological Survey dated August 2015 by Stark Ecology Ltd has been submitted at the request of the Council's Ecologist. The Ecologist has reviewed the report and is satisfied with the proposals subject to the recommendations within the updated report being secured by condition.

#### Impact on archaeology

The application site is considered to have some archaeological potential as development to the north, Storey's Meadow, led to the discovery of a significant archaeological site in 2011 (a Bronze Age barrow which subsequently formed the focus of an Anglo-Saxon cemetery).

As the proposed development will involve extensive groundworks across the application site it will adversely affect any surviving archaeological remains that may be present within the site. The Council's Archaeologist has advised that while this does not present an overriding concern, a programme of archaeological work to investigate, record, analyse and subsequently report on the archaeological evidence that will otherwise be destroyed by the proposed development should be secured through the attachment of suitable conditions (if the application were to be recommended for approval).

#### Impact on drainage

The site is within Flood Zone 1 and is at very low risk of surface water flooding. The geology is chalk. The proposal for foul water drainage is to connect into a private sewer serving the development to the north. This can



only be done with the permission of the owner of that system, for which there are no details. If an agreement cannot be reached with the owner of that system, a packaged treatment plant and drainage field must be used. Soakaways are proposed for surface water drainage. The Council's Drainage Engineer has requested that further details regarding the drainage strategy for the site are secured via condition.

#### Sustainability standards

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

The Design and Access statement does not specifically address the issue of sustainable design as set out in LPP1 policy CP11. However this is a matter that could be dealt with by planning condition if the recommendation was for approval.

## **9 Conclusion**

The proposal would result in the provision of a new residential dwelling in the countryside, adjacent to the defined settlement boundary of West Meon, for which there is no overriding justification. The development is therefore contrary to policy MTRA4 of the LPP1 and emerging policy SD25 of the SDLP and as such is recommended for refusal.

## **10 Reason for Recommendation**

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

1. The proposed development is considered contrary to Policy MTRA 4 of the Winchester District Local Plan Part 1 - Joint Core Strategy (2013) and emerging Policy SD25 of the Submission South Downs Local Plan (2018) in that it would result in the provision of a new residential dwelling in the countryside, adjacent to the defined settlement boundary of West Meon, for which there is no overriding justification.

## **Informatives:**

1. The Local Planning Authority has taken account of the following development plan policies and proposals:-  
Winchester District Local Plan Review (2006): H3, DP3, DP4, T2, T4  
Winchester District Local Plan Part 1 - Joint Core Strategy (2013): MTRA4, CP11, CP13, CP16, CP19, CP20  
South Downs Local Plan Submission (2018): Policies SD25, SD2, SD4, SD5, SD8, SD9, SD11
  
2. In accordance with paragraphs 186 and 187 of the NPPF the Local Planning Authority take a positive and proactive approach to development proposals focused on solutions. WCC on behalf of the SDNPA work with applicants/agents in a positive and proactive manner by;  
-offering a pre-application advice service and,  
-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.  
  
- In this instance the applicant's agent was made aware of the Council's concerns regarding the proposal. As the sole issue was the principle of development, a solution was unable to be achieved in this case.
  
3. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be liable to the South Downs National Park Authority CIL Charging Schedule which took effect on 1st April 2017. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme would be CIL liable and to pay the South Downs National Park's CIL upon commencement of development. The CIL Schedule and all associated policies may be found online, here:  
  
[https://www.southdowns.gov.uk/planning/community- infrastructure-levy/cil-charging-schedule-related-policies/](https://www.southdowns.gov.uk/planning/community-infrastructure-levy/cil-charging-schedule-related-policies/)

## **11. Crime and Disorder Implications**

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

## 12. Human Rights Implications

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

## 13. Equality Act 2010

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

## 14. Proactive Working

The applicant's agent was made aware of the Council's concerns regarding the proposal. As the sole issue was the principle of development, a solution was unable to be achieved in this case.

## Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Date on Plan	Status
Plans - TOPOGRAPHIC SURVEY	MFwestTOPO			Not approved
Reports - Extended Phase 1 Ecological Survey dated January 2019 by Stark Ecology Ltd	Ecological Survey			Not approved
Reports - Arboricultural Impact Appraisal and Method Statement Dated 17 <sup>th</sup> October 2018	Project 796			Not approved
Plans - BLOCK PLAN	150203-04		18.10.2018	Not approved
Plans - LOCATION PLAN	150203-01		18.10.2018	Not approved
Plans - SITE PLAN & SECTIONS	150203-02		18.10.2018	Not approved
Plans - PLANS & ELEVATIONS	150203-03		18.10.2018	Not approved
Image - Proposed view from Marlands Lane			01.03.19	Not approved

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

**City Councillor's request that a Planning Application be considered by  
the Planning Committee**

**Request from Councillor:  
Councillor Hugh Lumby, Upper Meon Valley ward**

**Case Number: SDNP/18/05415/FUL**

**Site Address:  
Land between Alton Road and Marlands Lane West Meon**

**Proposal Description:  
Erection of dwellinghouse with access onto Marlands Lane**

**Requests that the item be considered by the Planning Committee for the  
following material planning reasons:**

- (1) The property lies outside the settlement boundary of the village and so I understand is being recommended for refusal.
- (2) However the position of the settlement boundary is odd here as the application site is surrounded by houses on all sides. It is appreciated that Storeys Meadow is an exception site but it should not be isolated from the village.
- (3) The site itself is essentially derelict land and provides no benefit to the SDNP. It has become an isolated and disused island surrounded by other houses.
- (4) Use of this site for housing was previously considered by an inspector on appeal who supported the principle of residential use for this site. There is a real probability that this will therefore be appealed and this application be approved on appeal.
- (5) Given:
  - (1) the principle of this site being considered for residential use has already been supported by an inspector and
  - (2) it is completely surrounded by housing and is otherwise derelict.

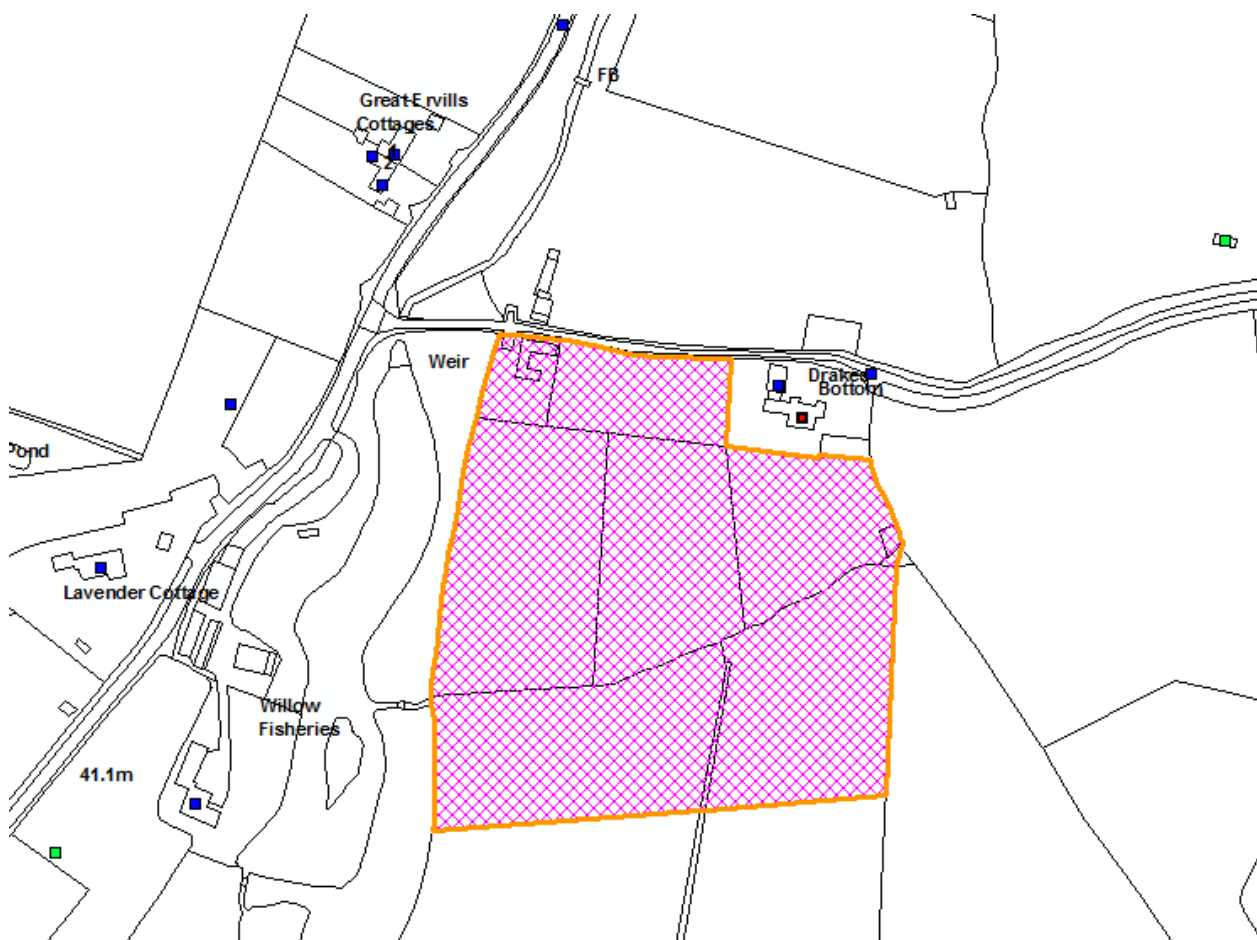
I believe this site is suitable for residential use and that the application should otherwise be considered on its merits notwithstanding that it is outside the settlement boundary.

I therefore request that it is considered by the Planning Committee.

## WINCHESTER CITY COUNCIL PLANNING COMMITTEE

**Case No:** 19/00594/FUL  
**Proposal Description:** Construction of a 40 m x 20 m outdoor riding arena for both private and commercial use. Change of use of existing equine stables to private and commercial livery and turning out of horses and exercise of horses on land at Drakes Bottom

**Address:** Drakes Bottom Dirty Lane Hambledon PO7 4QT  
**Parish:** Denmead  
**Applicants Name:** Mrs S Goldsborough  
**Case Officer:** Curtis Badley  
**Date Valid:** 14 March 2019  
**Recommendation:** Application Permitted



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PLANNING COMMITTEE

**General Comments**

**Application is reported to Committee as the number of objections, received contrary to the officer recommendation.**

The current proposal is the first revision of a previously refused application of the same description with reference: 18/00636/FUL which was refused on 22nd June 2018 for the following reason:

“The proposed development is contrary to policy DM18 of The Local Plan Part 2 (2017) in that the proposal would not enable a satisfactory road junction, with adequate visibility splays to be provided and would be likely to cause undue interference with the safety and convenience of the adjoining highway.”

The current application replicates the drawings included within this previous application. In addition to these drawings, a transport statement has been prepared by Paul Basham Associates and provided within the current application submission.

**Site Description**

The proposal site is located within the countryside in a rural setting. Within the site, there exists a stable block, suitable for the accommodation of six horses, associated yard (and parking) and six adjoining fields. The site access is received from Dirty Lane (also known as Uplands Road) which is located immediately to the North of the existing stable block and associated yard and parking. Parking provision exists for the parking of six cars, two horse boxes and a trailer within the existing yard.

The site area is approximately 27,000m<sup>2</sup> (~6.67 acres). Land levels within the site generally rise from West to East and drainage ditches exist at both these ends of the site. The site is currently enclosed by mix of post and rail fencing, vegetation and hedgerow and metal field gates provide access to both the surrounding fields and stable block. The existing adjacent hedgerow and verges are to be retained as part of the proposals.

Adjacent to the North East of the site there is a large detached residential dwelling house, Drakes Bottom – which is currently in associated private use with the stables and adjoining fields. The stables, yard and associated car parking is located within the North West corner of the site adjacent to field 2 to the South which proposes to contain the riding arena (manège).

**Proposal**

The existing stables and fields are currently in associated private use with the existing adjacent dwelling house, Drakes Bottom. The proposals seek to change of use of the existing equine stables use to both a private and commercial livery and for the turning out of horses and exercise of up to six horses on land at Drakes Bottom. It is expected that two stables will be retained for private use of the occupants of the existing dwelling house.

The proposals seek to construct a 40x20m outdoor riding arena comprising of silica sand, synthetic fibre and rubber mix enclosed by a tanalised post and rail fence for both private and commercial use. This follows an approval of planning permission in order to construct  
**Case No: 19/00594/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

an outdoor riding arena of an identical design and materials for private recreational purposes only. In addition, the proposal seeks to regularise works, including the replacement of the existing field gate with timber gates and the introduction of the adjacent two metre high close boarded timber fence and high wire fencing.

### **Relevant Planning History**

95/00687/OLD - PER (24.07.1995) - (Amended Description) Replacement stable buildings comprising 6 stable boxes, tack room and store

17/03009/FUL - PER (22.01.2018) - Construction of a 40x20m outdoor riding arena

18/00636/FUL – REF (22.06.2018) - Construction of a 40 m x 20 m outdoor riding arena for both private and commercial use. Change of use of existing equine stables to private and commercial livery and turning out of horses and exercise of horses on land at Drakes Bottom.

### **Consultations**

#### WCC Engineers: Drainage: No Objection

The proposal site is not within a flood prone area and doesn't propose foul drainage. The proposed riding arena has been designed with a common soakaway design and therefore no objection is raised.

#### WCC Engineers: Highways: No Objection

The highways engineer previously commented on a similar application (reference: 18/00636/FUL) raising concern with the site access onto Dirty Lane. The Transport Statement submitted in association with the current proposal demonstrates that the Lane is lightly trafficked and that the proposal will not result in a significant traffic generation. Further comments received which note that the visibility splays are now satisfactory and as a result, no highways objections are raised.

#### WCC Head of Environmental Protection: No Objection subject to conditions

Comments received raising no objection to the proposals subject to the relevant conditions which should be attached relative to the Planning Statement, dated 13<sup>th</sup> March 2019.

### **Representations:**

Denmead Parish Council: No Objection subject to conditions

Comments received from the Parish Council raising no objection to the proposal. Further comments received which request the use of planning conditions to ensure that the "commercial use does not exceed the provision for 6 horses and that no lighting, no amplified music or mirrors are used on the arena."

**Case No: 19/00594/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

- Out of keeping with rural nature of surrounding area
- Hazard due to increased traffic and lack of visibility onto Dirty Lane
- Hazard to adjacent road junction
- Attraction of noise and smells
- Impact upon peaceful rural area and dark skies
- Flooding
- Potential contamination of land and nearby fishery

No letters of support received.

Reasons aside not material to planning and therefore not addressed in this report:  
None

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy (2013)  
MTRA4

Winchester Local Plan Part 2 – Development Management and Site Allocations (2017)  
DM12, DM15, DM16, DM17, DM18, DM23

National Planning Policy Guidance/Statements:  
National Planning Policy Framework

Supplementary Planning Guidance  
Denmead Village Design Statement, 2016  
High Quality Places Supplementary Planning Document, 2015  
Denmead Neighbourhood Plan, 2013  
Equestrian Development, 1999

**Planning Considerations**

Principle of development

Policy MTRA4 of the Winchester District Local Plan Part 1 refers to development in the countryside defined as land outside the built up areas covered by policies MTRA2 and 3. The site lies outside of a defined settlement boundary and is within the countryside. The local planning authority will permit development which has an operational need to a countryside location. It is considered that a countryside location is required for keeping horses, and therefore the principle of development is acceptable.

Policy DM12 of the Winchester District Local Plan Part 2 (Equestrian Development) permits equestrian development where it can be shown that it will not adversely affect the character and appearance of the area or the amenities of nearby residential properties. Furthermore, this policy requires proposals, where possible, to make use of existing buildings and that development should not involve the erection of new buildings which may harm the landscape appearance of the area. The principle of the development is established under this policy and is considered acceptable.

**Case No: 19/00594/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Design/layout

The proposed commercial enterprise would continue to use the existing site facilities inclusive of the adjacent fields, stable buildings, vehicular access and yard. The additional built form in this application relates to the proposed riding arena and alterations to the access gate and fencing. The siting of the proposed riding arena reflects the location as approved within a previous, extant grant of planning permission (for private use). The riding arena is to be located within a low lying area of the existing paddock, close to the existing stable buildings, at a distance of 80 metres from the road.

It is considered that the proposed riding arena will not be widely visible from the public realm due to distance from surrounding roads and partial screening provided by surrounding vegetation and the existing stable block. The construction of this riding arena is considered to be respectful within the existing landscape and provides a minimal impact to the wider character of the surrounding rural area. A condition is attached which will prevent the installation of floodlighting which could be visible at a long range.

The existing stables access from Dirty Lane has been altered from an existing field gate to a 2 metre high close boarded timber fence and timber gates. High wire fencing has also been installed immediately adjacent to the new gates in order to improve site security. The retrospective alterations are not considered to adversely harm the rural character of the area where placed adjacent to the existing stable and yard and where screening is provided by adjacent hedgerow which restricts views of the proposal to a limited distance of the adjoining road.

Impact on character of area and neighbouring properties

The proposed riding arena lies some 65m from the nearest dwelling, Drakes Bottom (owned by the applicant) and approximately 35m from the boundary shared with Willow Lake and Fisheries. The stables are screened from the Willow Lake and Fisheries by a band of mature trees and the dwelling house occupied in association with the lake and fisheries is located approximately 150 metres from the riding arena separated by the band of mature trees and the lake itself.

The proposal largely makes use of the existing built form and infrastructure of the existing private use. However, there is potential for the mixed private and commercial use of the arena, stables and associated fields to receive an increase in site activity beyond that currently experienced. It is considered that the impact of this increased level of activity on site could be suitably mitigated by the use of reasonable conditions in order to ensure the amenities of the area are safeguarded; restricting any floodlighting, amplified music and the times of use.

Overall it is considered that subject to the use of appropriate conditions indicated above and use of an additional condition to include a limit on the number of horses on the site to six, to ensure that the use does not adversely impact the landscape, that the development would not have a significant adverse impact on the character and appearance of the immediate and surrounding area.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

The use of conditions is proposed to limit the number of horses on site and to ensure that the current arrangements for manure storage and removal are continued in order to ensure the effective management of the site. As a result of the implementation of these conditions and the distance maintained from neighbouring properties, the proposals are considered to be adequate to ensure that the amenity of those residents is maintained in terms of noise and when considering any odour issues. Under these circumstances the proposal is considered to be in compliance with policy DM17 of the WD Local Plan Part 2 which seeks to protect the amenities of neighbouring residential properties.

Highways/Parking

Access onto the site from Dirty Lane (Uplands Road) and parking facilities are currently and have previously been used for the management and maintenance of the existing private stables and associated fields. The proposed use accommodates horses under a 'full livery' arrangement where the owners of these horses are not required to travel to the site daily and are likely to only travel to the site during weekends. The existing access is considered to be suitable to serve a private stable and manège under the existing planning consent(s). The suitability of the access should only be considered in the context of any potential increased use of the site associated with the current proposals.

There exists provision for the parking of cars and space for horse boxes and trailers adjacent to the existing stables on hard standing which is to be retained and used as part of the proposals. The placement of trailer and horse box spaces are adjacent to the existing stables in order to minimise any potential visual impact.

A transport assessment has been provided in association with the current planning submission. The transport assessment provided takes into account the low traffic volumes and speeds experienced within the surrounding road network and recognises that. Additional consideration is made to the improvements to the access and parking arrangement have been undertaken on site and incident history within the vicinity. Furthermore, the assessment provides a trip generation calculation of both the daily trip generation and 'other' trip generation. The additional trip generation as a result of the change of use of the site is expected to be an additional six trips per month, generally expected to be over the weekends, within the summer months.

Whilst visibility splays of 2m x 43m have not been achieved, in consideration of the additional information and assessment which has undertaken and made available within the transport assessment the proposal is considered to be acceptable from a highways point of view. As a result of this assessment, the proposal is considered to be in compliance with policy DM18 of The Local Plan Part 2 (2017) where a significant adverse impact on the safety and free flow of the highway network is not expected.

Drainage

Drainage is not expected to be impacted by the proposals as the site is not located within a flood prone arena with no foul drainage element. The disposal of water from the arena consists of a single perforated pipe to a soakaway located in excess of 25 metres from the site boundary, wholly within the ownership of the applicant. The existing drainage provision for the stables, associated yard and fields are expected to satisfy the future use where no increase in hardstanding is proposed.

**Case No: 19/00594/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

The resultant manure /waste bedding shall be stored on a trailer, and removed from site at regular intervals. This proposed arrangement is representative of a historic arrangement on site where manure has been collected and removed from site by local farmer for spreading on fields on regular intervals. A condition has been attached to ensure the suitable management of the site and removal of waste in the interests of the amenities of the locality. As a result, no additional risk as a result of potential land or water contamination is expected.

**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.

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

02 The materials to be used in the construction of the external surfaces of the proposed riding arena (manège) hereby permitted shall be those as detailed within the associated planning statement for the fencing to be tantalised timber post & rail and the surface to be silica sand, synthetic fibre & rubber mix.

02 Reason: To ensure a satisfactory visual relationship between the new development and its surroundings.

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

Site and Location Plan (Drawing Number: 300 Revision C) Received: 14.03.2019

Fencing Detail (Manege) (Drawing Number: 306) Received: 14.03.2019

Gates (Drawing Number: 307) Received: 14.03.2019

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

04 The use hereby permitted shall only be operated within the following times:

- Summer time (daylight saving time) – Monday to Sunday 0800 – 2000
- Winter time (standard time) – Monday to Sunday 0800 – 1600

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

05 Manure/waste bedding shall be stored on a trailer, and removed from site at regular intervals. Large scale storage or burning of any waste will not be acceptable. The facilities shall be provided and thereafter maintained in accordance with the approved details outlined within the submitted planning statement dated: 14/03/2019.

05 Reason: In the interests of the amenities of the locality.

**Case No: 19/00594/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

06 No external lighting, whether free standing or affixed to a structure, shall be provided to the arena area at any time.

06 Reason: To protect the appearance of the area, the environment and local residents from light pollution

07 No music, amplification equipment, tannoy systems shall be used on the site at any time.

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

08 No shows shall take place on site at any time

08 Reason: In the interests of the amenities of the locality

09 No more than six horses shall be kept on the site at any one time.

09 Reason: for the avoidance of doubt and to ensure adequate stabling and grazing land for the six horses.

**Informatives:**

In accordance with paragraph 38 of the National Planning Policy Framework (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.

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

Winchester Local Plan Part 1 – Joint Core Strategy (2013): MTRA4

Winchester Local Plan Part 2 – Development Management and Site Allocations (2017): DM12, DM15, DM16, DM17, DM23

National Planning Policy Guidance/Statements: National Planning Policy Framework

Supplementary Planning Guidance: Denmead Neighbourhood Plan, 2013, High Quality Places Supplementary Planning Document, 2015

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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.

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.

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

Please be advised that Building Regulations 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))

If at any time the premises are used for the Hiring out of Horses (including Riding Establishments) a licence must be issued by the Environmental Protection Team under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. This includes any business for the keeping of horses to let them out on hire for riding, or for use in providing instruction in riding for payment, or both.

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PDC1130  
PLANNING COMMITTEE

REPORT TITLE: CONFIRMATION OF TREE PRESERVATION ORDER TPO2242 –  
LAND OFF OF ORCHARD CLOSE, ALRESFORD

23 MAY 2019

REPORT OF PORTFOLIO HOLDER: To be confirmed

Contact Officer: Ivan Gurdler

Tel No: 01962 848 403

Email: igurdler@winchester.gov.uk

WARD(S): ALRESFORD AND ITCHEN VALLEY WARD

## PURPOSE

To consider confirmation of Tree Preservation Order 2242 to which one letter of objection has been received.

## RECOMMENDATIONS:

1. That having taken into consideration the representation received, Tree Preservation Order 2242 is confirmed.

IMPLICATIONS:

- 1 COUNCIL STRATEGY OUTCOME
- 1.1 The confirmation of this Tree Preservation Order (TPO) will contribute to the High Quality Environment outcome of the Community Strategy by maintaining the environmental quality and character of the area.
- 2 FINANCIAL IMPLICATIONS
- 2.1 There are no financial implications for the City Council at this stage. Compensation is potentially payable only where sufficient evidence has been provided by an applicant to support an application to carry out works to the protected tree and where that application is refused.
- 3 LEGAL AND PROCUREMENT IMPLICATIONS
- 3.1 None.
- 4 WORKFORCE IMPLICATIONS
- 4.1 None.
- 5 PROPERTY AND ASSET IMPLICATIONS
- 5.1 None.
- 6 CONSULTATION AND COMMUNICATION
- 6.1 On serving of the TPO, the landowner and immediate neighbours were notified and allowed 28 days to object.
- 6.2 At the time that TPO 2242 was served there was one letter of objection.
- 7 ENVIRONMENTAL CONSIDERATIONS
- 7.1 Trees have a significant impact on our surroundings, the quality of our lives and where we live. They form an important and integral part of the countryside and in every town and village throughout the District. Trees support the natural beauty of our countryside and diversity of our natural wildlife.
- 8 EQUALITY IMPACT ASSESSEMENT
- 8.1 None.
- 9 DATA PROTECTION IMPACT ASSESSMENT
- 9.1 None required.
- 10 RISK MANAGEMENT



10.1 None.

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<i>Property</i>	N/A	N/A
<i>Community Support</i>	N/A	N/A
<i>Timescales</i>	N/A	N/A
<i>Project capacity</i>	N/A	N/A
<i>Financial / VfM</i>	N/A	N/A
<i>Legal</i>	N/A	N/A
<i>Innovation</i>	N/A	N/A
<i>Reputation</i>	N/A	N/A
<i>Other</i>	N/A	N/A

## 11 SUPPORTING INFORMATION:

- 11.1 This matter comes to Planning Committee because the City Council has received one objection to the making of TPO 2242.
- 11.2 TPO 2242 was issued on 06 December 2018 to protect two semi-mature Lime trees located to the north of the green open space in Orchard Close, Alresford. The Council received notification that the section of land on which the trees are located had been listed for sale with guidance from the estate agent that the land could be developed, with space for one property. If TPO 2242 is not confirmed, the TPO will expire on 06 June 2019.
- 11.3 The two Lime trees are in full public view from the properties surrounding the open space and continue the line of trees around the green on the western side, giving the trees visual public amenity value. The trees are of good health and vitality and are good examples of their species.
- 11.4 The protection of these trees by a Tree Preservation Order is in accordance with Government guidance which states that “orders should be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public.” If these trees are removed, it would have a detrimental impact on the public visual amenity value that the trees currently provide.
- 11.5 There is no history of tree failure and no reports of structural damage being caused to the drainage located adjacent to the trees. No reports of damage to the surrounding road or driveways has been recorded either.
- 11.6 The Secretary of State’s view is that the higher the amenity value of the tree or woodland and the greater any negative impact of proposed works would have on amenity, the stronger the reasons needed before consent is granted.

11.7 The confirmation of TPO 2242 would not prevent future maintenance to the trees.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 At the time that TPO 2242 was served, the Council received one letter of objection and no letters of support.

12.2 One letter of objection was submitted on 02 January 2019 and objects to both trees included in TPO 2242.

12.3 The objector states that the impact of the removal of the trees does not warrant their protection by TPO. The Local Authority should be able to show that they provide a reasonable degree of public benefit before the order is confirmed. Their public visibility alone is not sufficient evidence to TPO the trees.

12.4 The objector states that they believe the trees to have been planted as part of the development of Orchard Close in 1988 and that they could have been placed under a TPO at the time they were planted. The objector states that it is not expedient to now place a TPO on the trees as there is no more threat to them than there has been since they were planted.

12.5 The objector states that the trees are multi-stemmed with poorly formed stem junctions, included forks and with a high likelihood of failure. They have not been properly maintained and have now reached a stage where any remedial pruning will not alleviate their likelihood of structural failure. The objector states that any reasonable works will compromise the health and structural stability of the trees and therefore makes them unsuitable for a TPO.

12.6 The objector states that the trees are in close proximity to a manhole cover, suggesting that there may be drainage nearby. The objector expresses concern that the tree roots could cause problems for the drainage and that the TPO will restrict management of the trees to alleviate any potential issues.

12.7 The objector states that the TPO on the trees deprives the landowner of their right to peaceful enjoyment of their property and restricts their management of the trees.

12.8 The objector states that the process of making the TPO is not compliant with Article 6 of the European Convention on Human Rights as the Council is both proposer and decider of the TPO.

12.9 Officers response to letter of objection:

12.10 Government guidance states that: "orders should be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public." The two Lime trees are visible in the public realm of Orchard Close and contribute to the amenity of the

surroundings. The trees are part of a landscaped area in the open space as well as being part of a line of trees surrounding the green. Their removal would have a negative impact on the landscaping of the green. A TEMPO assessment has been carried out on the tree which is commonly used for assessing the amenity value of a tree.

- 12.11 The objector states that the Council has had 40 years to place TPO's on the trees they believed that the trees warranted protection. However the land has been maintained by WCC grounds maintenance since 1988 and therefore there has been no previous threat to the trees.
- 12.12 The Council were notified that the section of land on which the two trees sit had been listed for sale with guidance from the estate agent that the land could be developed for property purposes. A change in land ownership is a common trigger for trees on that land to be assessed for TPOs and the Council responded accordingly. The advert for the sale of the land was viewable on the website of the estate agent and was accompanied by a plan of a property that could be potentially built on the land. The Council perceived this information as a new, increased threat to the trees on the land and responded accordingly.
- 12.13 The TPO on the trees does not prevent works from being carried out to the trees. If an obvious hazard exists and it is in risk of imminent failure and associated significant risk of harm, the hazard could be removed under the dead and dangerous exemptions to the TPO legislation. If the risk of failure and associated harm is not imminent then an application can be made to the Council. In the event that evidence was provided to support the need to remove the two trees, the TPO would be able to ensure, by condition, that replacement planting was undertaken.
- 12.14 There are no current signs of damage to the surrounding road drains or driveways around the trees. No reports have been submitted to the Council as evidence of damage caused by the roots of the tree. In the scenario that damage has occurred or the first signs of damage are evident, an application to remove the trees would be considered by the Council.
- 12.15 The advice from the Secretary of State is that people must be given the opportunity to object to, or comment on a new Tree Preservation Order, before deciding whether to confirm an order, the local authority must take into account all duly made objections and representations that have not been withdrawn. Article 6 of the European Convention on Human Rights which states persons civil rights must be determined by an independent and impartial tribunal. The bringing of this TPO confirmation to committee complies with the legislation, the Secretary of State's guidance, Council procedure and Article 6 of the European Convention on Human Rights.

BACKGROUND DOCUMENTS:-

Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.

## TEMPO

The following Tree Evaluation Method for Preservation Orders (TEMPO) assessment has been carried out to evaluate the amenity value of the Lime trees.

Condition & suitability for TPO	Fair	Suitable	3 points
Retention span (in years)	40-100	Very suitable	4 points
Relative public visibility & suitability	Large or medium trees clearly visible to the public	Suitable	4 points
Other factors	Members of groups of trees that are important for their cohesion		2 points
Expediency assessment	Foreseeable threat to trees	Foreseeable	3 Points
<b>Total</b>			16 points awarded – Definitely merits TPO

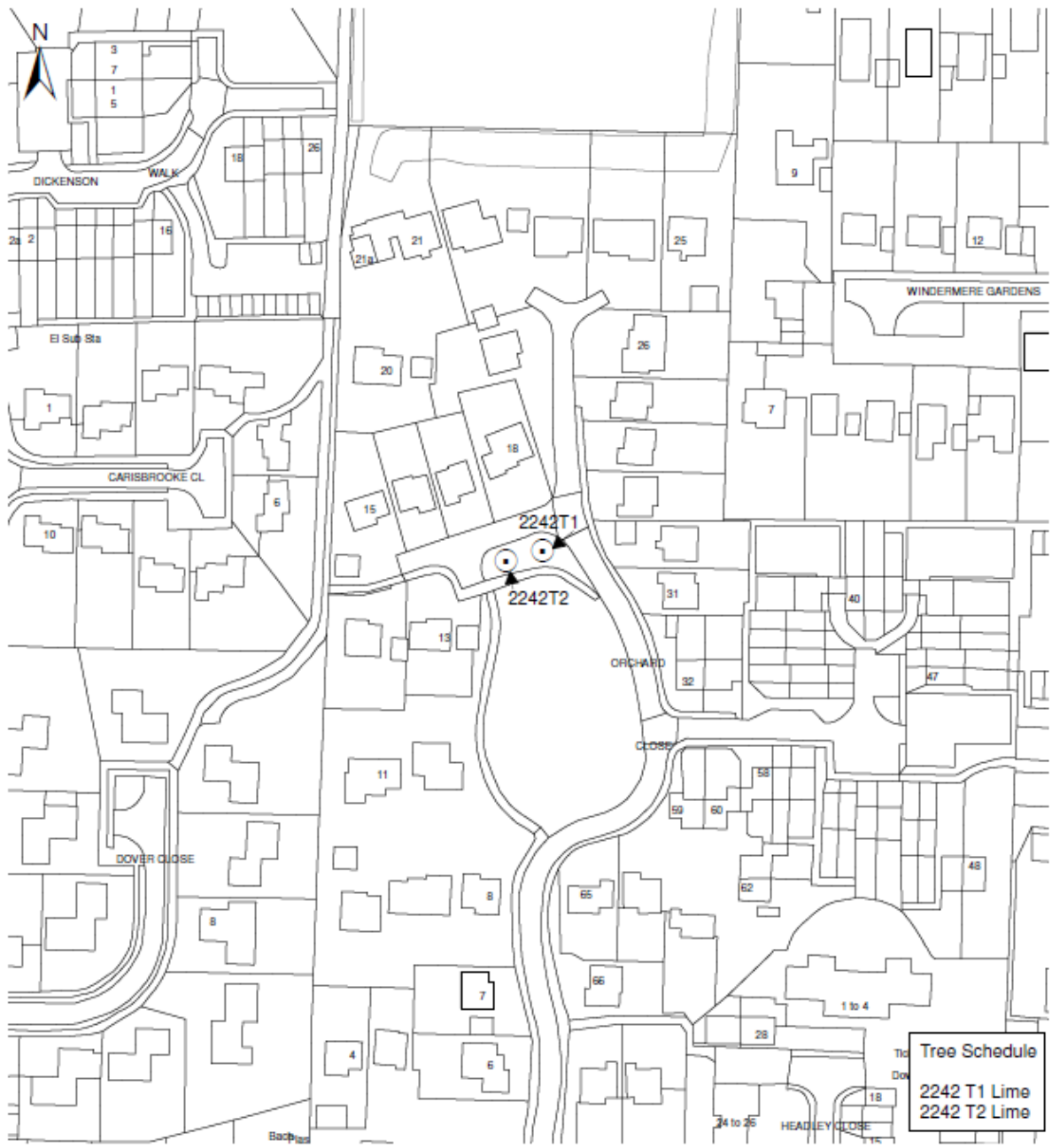
The trees score a total of 16 points which establishes that the trees definitely merits a TPO and confirms that the tree is of sufficient public visual amenity value to be protected by a TPO.





Previous Committee Reports:- None.

Other Background Documents:- None.

APPENDICES:

Appendix 1 – Map of the site.



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

**TOWN AND COUNTRY PLANNING ACT 1990**  
 Section 198 - 201  
 Tree Preservation Order No. 2242  
 Location: Land at Orchard Close  
 Alesford



Director of Operations  
 Winchester City Council  
 POBox 497, City Offices  
 Colebrook Street  
 Winchester  
 Hampshire  
 SO23 9DD  
 Telephone 01962 840 222  
 Fax 01962 841 365

OS Grid: 4629      Scale: 1:1000 @ A4      Date : 20 November 2018

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PDC1135.  
PLANNING COMMITTEE

REPORT TITLE: PLANNING APPEALS

23 MAY 2019

REPORT OF PORTFOLIO HOLDER: To be confirmed

Contact Officer: Julie Pinnock Tel No: 01962 848 439

Email [jpinnock@winchester.gov.uk](mailto:jpinnock@winchester.gov.uk)

WARD(S): ALL

## PURPOSE

This report provides a summary of appeal decisions received during 1 July 2018 - 31 March 2019

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

## RECOMMENDATIONS:

1. That the report be noted.

IMPLICATIONS:

- 1 COUNCIL STRATEGY OUTCOME
  - 1.1 Analysis of appeal decisions ensure consistency in decision making helping the City Council to protect the Environment.
- 2 FINANCIAL IMPLICATIONS
  - 2.1 None
- 3 LEGAL AND PROCUREMENT IMPLICATIONS
  - 3.1 None
- 4 WORKFORCE IMPLICATIONS
  - 4.1 None
- 5 PROPERTY AND ASSET IMPLICATIONS
  - 5.1 None
- 6 CONSULTATION AND COMMUNICATION
  - 6.1 Not applicable – report for information
- 7 ENVIRONMENTAL CONSIDERATIONS
  - 7.1 None
- 8 EQUALITY IMPACT ASSESSMENT
  - 8.1 None
- 9 DATA PROTECTION IMPACT ASSESSMENT
  - 9.1 None Required
- 10 RISK MANAGEMENT T

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



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

11 SUPPORTING INFORMATION:

11.1 This report provides a summary of appeal decision in relation to planning cases received during 1 July 2018 – 31 March 2019.

37 Appeals Decided during the period

11 Appeals Allowed – 30%

25 Appeals Dismissed - 67%

1 Notice Quashed Planning Permission Granted – 3%

There were 8 Applications with Applications for Costs

6 Appeals had Applications for Costs Refused

1 Appellant Application for Cost Dismissed

1 Appeal Costs Allowed 17/02574/HOU

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None

BACKGROUND DOCUMENTS:-

PDC 1113

Other Background Documents:-

APPENDICES:

Appendix 1 – Summary of decisions (Planning Cases) 1 July 2018 – 31 March 2019.

**APPENDIX 1****PLANNING APPEALS – SUMMARY OF DECISIONS (DC CASES)****REPORT FROM DEVELOPMENT MANAGER**

A summary of appeal decisions received during 1 July 2018 – 31 March 2019.

<b>Item No: 01</b>			
<b>Date of Inspector's Decision:</b>	16th July 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>I</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			
<b>Case No:</b>	16/03090/FUL		
<b>Case Officer:</b>	Mr Stephen Cornwell		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		
<b>Proposal:</b>	The use of land as gypsy and traveller caravan site consisting of 4 pitches, each containing 1 mobile home, 1 touring caravan, 1 semi detached utility building; play area and associated development.		
<b>Location:</b>	Field Adjacent Berkeley Farm Durley Street Durley Hampshire		
<b>Item No: 02</b>			
<b>Date of Inspector's Decision:</b>	29th August 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			
<b>Case No:</b>	17/02318/TPO		
<b>Case Officer:</b>	Mr Ivan Gurdler		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		
<b>Proposal:</b>	1no. Beech - Fell due to structural integrity being compromised		
<b>Location:</b>	Hobsons 10 Berewecke Road Winchester SO22 6AN		

<b>Item No: 03</b>			
<b>Date of Inspector's Decision:</b>	22nd October 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>I</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/00795/LDC		
<b>Case Officer:</b>	David Townsend		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	The use of the land as an extension to residential curtilage
<b>Location:</b>	Belmore Cottages Manor Road Durley Hampshire

<b>Item No: 04</b>			
<b>Date of Inspector's Decision:</b>	6th September 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/01612/LIS		
<b>Case Officer:</b>	Rebecca Murray		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	PVC lettering in corporate colours to be attached to the current timer fascia, illuminated with swan lights to replace the existing dilapidated swan lights. Additional of one non illuminated projecting sign. Background colour is Dulux white with blue text.
<b>Location:</b>	4 Romsey Road Winchester Hampshire SO23 8TP

<b>Item No: 05</b>			
<b>Date of Inspector's Decision:</b>	10th September 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Cost
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02641/FUL		
<b>Case Officer:</b>	Robert Green		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Replacement of existing detached dwelling with single detached dwelling
<b>Location:</b>	Mount Folly Cottage Southwick Road North Boarhunt PO17 6JH

<b>Item No: 06</b>			
<b>Date of Inspector's Decision:</b>	10th September 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	Cost Refused
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/01203/FUL		
<b>Case Officer:</b>	Liz Marsden		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Use of land as residential garden.
<b>Location:</b>	The Caravan Oak Farm Winchester Road Wickham Fareham Hampshire

<b>Item No: 07</b>			
<b>Date of Inspector's Decision:</b>	4th October 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/01498/FUL		
<b>Case Officer:</b>	Mrs Katie Nethersole		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	PROPOSED 2 No. DWELLINGS
<b>Location:</b>	50 Willis Waye Kings Worthy SO23 7QT

<b>Item No: 08</b>			
<b>Date of Inspector's Decision:</b>	14th March 2019	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/00707/OUT		
<b>Case Officer:</b>	Lisa Booth		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Erection of a single detached 'self-build' dwelling and garage with all matters reserved.
<b>Location:</b>	Land Adjacent To Seven Oaks Clewers Hill Waltham Chase SO32 2LN

<b>Item No: 09</b>			
<b>Date of Inspector's Decision:</b>	26th October 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/01689/FUL		
<b>Case Officer:</b>	Robert Green		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Construction of new detached five bedroom 'chalet style' bungalow with integral double garage on an existing garden plot, including forming a new vehicular access on to Black Horse Lane
<b>Location:</b>	Bellcroft Black Horse Lane Shedfield SO32 2HT

<b>Item No: 10</b>			
<b>Date of Inspector's Decision:</b>	31st January 2019	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	Costs Refused
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	16/00517/FUL		
<b>Case Officer:</b>	Mr Stephen Cornwell		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	Yes		

<b>Proposal:</b>	Replacement of four semi-detached houses (Number 178-184 Greenhill Road) with two blocks of student accommodation consisting of: 3 x 3 bed flats, 11 x 4 bed flats, 1 x 5 bed flat, 9 x 6 bed flats, 2 x 7 bed flats, 1 x 8 bed flat, (total of 134 student beds) and a Warden's flat, together with amenity space, cycle storage, bin store, restricted operational car parking and landscaping (Amended Plans).
<b>Location:</b>	180 Greenhill Road Winchester Hampshire SO22 5DR

<b>Item No: 11</b>			
<b>Date of Inspector's Decision:</b>	4th October 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02477/FUL		
<b>Case Officer:</b>	Liz Marsden		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Construction of detached house following removal of detached bungalow.
<b>Location:</b>	Rowena Biddenfield Lane Wickham PO17 5NU

<b>Item No: 12</b>			
<b>Date of Inspector's Decision:</b>	27th February 2019	<b>Inspector's Decision:</b>	Notice quashed planning permission given
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02190/FUL		
<b>Case Officer:</b>	Lorna Hutchings		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	Yes		

<b>Proposal:</b>	(Nov 2017 Revised Drawings View Perspectives and Landscape Plan) Alterations to extant planning permission ref: 16/00320/FUL : Repositioning of dwelling, alterations to site levels and exterior materials, amendments to landscaping and boundary treatment
<b>Location:</b>	Texas Texas Drive Olivers Battery SO22 4HT

<b>Item No: 13</b>			
<b>Date of Inspector's Decision:</b>	17th October 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/01930/TCP		
<b>Case Officer:</b>	Brian Conlon		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Proposed installation of a 17.5m pole, supporting 3 no antenna, associated ground based equipment cabinets and ancillary development thereto
<b>Location:</b>	Telecom Site Corner Of Athelstan Road And Andover Road Winchester Hampshire

<b>Item No: 14</b>			
<b>Date of Inspector's Decision:</b>	6th September 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/01353/LIS		
<b>Case Officer:</b>	Mrs Katie Nethersole		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Changing the colour of the front elevation of the house from a faded pink to Basalt 221 (Little Greene Paint Company). Front door, porch and windows to remain white. (RETROSPECTIVE)
<b>Location:</b>	Alde Cottage 20 East Street Alresford SO24 9EE



<b>Item No: 15</b>			
<b>Date of Inspector's Decision:</b>	4th October 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/01474/FUL		
<b>Case Officer:</b>	Catherine Watson		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	Yes		

<b>Proposal:</b>	AMENDED PLANS 06.12.2017 Demolition of existing dwelling and erection of 4 dwellings
<b>Location:</b>	5 Boyne Rise Kings Worthy SO23 7RE

<b>Item No: 16</b>			
<b>Date of Inspector's Decision:</b>	2nd July 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	Appellant Cost Dismissed
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02298/HOU		
<b>Case Officer:</b>	Catherine Watson		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Install a drop kerb for vehicular access to the rear of the property off the B3047
<b>Location:</b>	Bishops Court Lodge Bishops Sutton Road Bishops Sutton SO24 0AN

<b>Item No: 17</b>			
<b>Date of Inspector's Decision:</b>	22nd March 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02829/FUL		
<b>Case Officer:</b>	Robert Green		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Erection of dwelling
<b>Location:</b>	Land Adjacent To Oakley House Trampers Lane North Boarhunt PO17 6BY

<b>Item No: 18</b>			
<b>Date of Inspector's Decision:</b>	8th August 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/03251/HOU		
<b>Case Officer:</b>	Mrs Jane Burton		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Demolition of single storey detached games room and to build an attached part single storey, part two storey rear extension with part single storey side extension infill, creating a residence for my elderly disabled mother and her full time carer.
<b>Location:</b>	Bridge Cottage Kiln Lane Brambridge SO50 6HT

<b>Item No: 19</b>			
<b>Date of Inspector's Decision:</b>	7th November 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02014/FUL		
<b>Case Officer:</b>	Verity Osmond		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Construction of new two storey dwelling.
<b>Location:</b>	Four Winds 27 Grange Road Alresford Hampshire SO24 9HB

<b>Item No: 20</b>			
<b>Date of Inspector's Decision:</b>	6th September 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/00116/HOU		
<b>Case Officer:</b>	Curtis Badley		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Proposed single storey front extension
<b>Location:</b>	2 Dean Cottage Church Road Newtown PO17 6LE

<b>Item No: 21</b>			
<b>Date of Inspector's Decision:</b>	31st October 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	Costs Refused
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/00484/FUL		
<b>Case Officer:</b>	Lisa Booth		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Full Detailed Application: Conversion of ground floor of existing building from B1a Office to provide 3 no. residential apartments and retention of existing 2 no. residential apartments at first floor, erection of 1 no. new detached dwelling, vehicular and pedestrian access, car parking and secure cycle storage, landscaping and, servicing.
<b>Location:</b>	Boarhunt Garage Ltd Southwick Road North Boarhunt PO17 6JW

<b>Item No: 22</b>			
<b>Date of Inspector's Decision:</b>	2nd November 2018	<b>Inspector's Decision:</b>	Appeal Allowed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	Costs Allowed
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02574/FUL		
<b>Case Officer:</b>	Sean Quigley		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	Yes		

<b>Proposal:</b>	AMENDED PLANS 19.12.2017 Demolition of a single storey side extension and alterations to the fenestration of the existing Overcross House and construction of a new 5 bedroom detached dwelling and detached double garage to the east of the existing house.
<b>Location:</b>	Overcross House Cross Way Shawford SO21 2BZ

<b>Item No: 23</b>			
<b>Date of Inspector's Decision:</b>	29th October 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	Costs Refused
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02063/FUL		
<b>Case Officer:</b>	Robert Green		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	Yes		

<b>Proposal:</b>	Retention of existing outbuilding and its temporary use for accommodation during building works to main dwelling
<b>Location:</b>	Brown Eaves 170 Main Road Colden Common SO21 1TJ

<b>Item No: 24</b>			
<b>Date of Inspector's Decision:</b>	4th February 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02873/FUL		
<b>Case Officer:</b>	Curtis Badley		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Change of use from Class A1 (Retail) to Class A5 (Takeaway Pizza) with new signage and extractor flue at 'The New Wool & Footwear Shop'
<b>Location:</b>	The New Wool Shop High Street Bishops Waltham Southampton Hampshire SO32 1AB

<b>Item No: 25</b>			
<b>Date of Inspector's Decision:</b>	19th December 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/00303/FUL		
<b>Case Officer:</b>	Mrs Megan Osborn		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	New 3-storey, 3 bed detached dwelling on the upper garden area behind the existing garage.
<b>Location:</b>	Dashwood House Sleepers Hill Winchester SO22 4ND

<b>Item No: 26</b>			
<b>Date of Inspector's Decision:</b>	22nd February 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>I</b>	<b>Costs:</b>	Costs Refused
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/01723/FUL		
<b>Case Officer:</b>	Pat Aird		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	Yes		

<b>Proposal:</b>	(AMENDED PLANS 10.04.2018) Redevelopment to form 27 No. apartments for the elderly (sixty years of age and/or partner over fifty five years of age), guest apartment, communal facilities, access, car parking and landscaping
<b>Location:</b>	Post Mead Shore Lane Bishops Waltham SO32 1DY

<b>Item No: 27</b>			
<b>Date of Inspector's Decision:</b>	24th October 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/00352/HOU		
<b>Case Officer:</b>	Verity Osmond		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	(RESUBMISSION) Loft conversion and internal alterations including garage conversion to living accommodation
<b>Location:</b>	Borrowdale 5 Downs Road South Wonston Winchester Hampshire SO21 3EU

<b>Item No: 28</b>			
<b>Date of Inspector's Decision:</b>	4th February 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/03081/FUL		
<b>Case Officer:</b>	Robert Green		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Proposed erection of two detached infill three-bedroomed houses.
<b>Location:</b>	Land North Of The Nook Kytes Lane Durley SO32 2AE

<b>Item No: 29</b>			
<b>Date of Inspector's Decision:</b>	9th January 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	17/02784/FUL		
<b>Case Officer:</b>	Sean Quigley		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	Yes		

<b>Proposal:</b>	Construction of 2 dwellings with associated access from Petersfield Road.
<b>Location:</b>	24 Quarry Road Winchester Hampshire SO23 0JG

<b>Item No: 30</b>			
<b>Date of Inspector's Decision:</b>	24th January 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/00843/FUL		
<b>Case Officer:</b>	Liz Marsden		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	New second floor to form 3 flats with associated refuse and cycles stores and parking.
<b>Location:</b>	Parklands Business Park, Technology House Forest Road Denmead PO7 6XP



<b>Item No: 31</b>			
<b>Date of Inspector's Decision:</b>	18th December 2018	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/01085/HOU		
<b>Case Officer:</b>	Marge Ballinger		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Loft conversion with rear dormer and front rooflight
<b>Location:</b>	73 Coriander Way Whiteley PO15 7HB

<b>Item No: 32</b>			
<b>Date of Inspector's Decision:</b>	22nd January 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/01368/FUL		
<b>Case Officer:</b>	Liz Marsden		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Erection of three dwellings (2 x semi-detached, 1 x detached houses) with associated access and parking.
<b>Location:</b>	Meadow Croft Hoe Road Bishops Waltham Southampton Hampshire SO32 1DU

<b>Item No: 33</b>			
<b>Date of Inspector's Decision:</b>	11th January 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>W</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/00183/FUL		
<b>Case Officer:</b>	Robert Green		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	ERECTION OF NEW SINGLE STOREY DWELLING AND A DOUBLE GARAGE
<b>Location:</b>	The Mushroom Farm Wardle Road Highbridge SO50 6HR

<b>Item No: 34</b>			
<b>Date of Inspector's Decision:</b>	9th January 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Cost
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/01617/FUL		
<b>Case Officer:</b>	Liz Marsden		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Single storey side and first floor extension
<b>Location:</b>	Corbrae Curdrige Lane Waltham Chase SO32 2LQ

<b>Item No: 35</b>			
<b>Date of Inspector's Decision:</b>	15th January 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/01161/HOU		
<b>Case Officer:</b>	Curtis Badley		
<b>Original Decision Type:</b>	Committee Decision		
<b>Was Decision Overturned at Committee?</b>	Yes		

<b>Proposal:</b>	(Amended Plans and Description) Proposed construction of single storey front and side extensions and two storey rear extension to include external alterations. Alterations to existing driveway and conversion of existing loft into habitable accommodation.
<b>Location:</b>	46 Harrow Down Badger Farm SO22 4LZ

<b>Item No: 36</b>			
<b>Date of Inspector's Decision:</b>	22nd February 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>I</b>	<b>Costs:</b>	Costs Refused
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			

<b>Case No:</b>	18/01654/FUL		
<b>Case Officer:</b>	Pat Aird		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		

<b>Proposal:</b>	Redevelopment to form 29 No. apartments for the elderly (sixty years of age and/or partner over fifty five years of age), guest apartment, communal facilities, access, car parking and landscaping.
<b>Location:</b>	Post Mead Shore Lane Bishops Waltham SO32 1DY

<b>Item No: 37</b>			
<b>Date of Inspector's Decision:</b>	11th March 2019	<b>Inspector's Decision:</b>	Appeal Dismissed
<b>Appeal Procedure (see code below):</b>	<b>H</b>	<b>Costs:</b>	No Application for Costs
<b>W</b> – Written representation; <b>I</b> – Informal hearing; <b>P</b> – Public Inquiry; <b>H</b> - Householder			
<b>Case No:</b>	18/02069/HOU		
<b>Case Officer:</b>	Alexander Strandberg		
<b>Original Decision Type:</b>	Delegated Decision		
<b>Was Decision Overturned at Committee?</b>	No		
<b>Proposal:</b>	Works to front		
<b>Location:</b>	8 Grosvenor Drive Winchester SO23 7HF		

PDC1136  
PLANNING COMMITTEE

REPORT TITLE: MEMBER BRIEFING UPDATE – SOUTHAMPTON TO LONDON PIPELINE PROJECT

23 MAY 2019

REPORT OF PORTFOLIO HOLDER: To be confirmed

Contact Officer: Julie Pinnock / Stephen Cornwell Tel 01962 848439 / 848485  
Email [jpinnock@winchester.gov.uk](mailto:jpinnock@winchester.gov.uk) / [scornwell@winchester.gov.uk](mailto:scornwell@winchester.gov.uk)

WARD(S): BISHOPS WALTHAM, UPPER MEON VALLEY & ALRESFORD & ITCHEN

PURPOSE

The purpose of this paper is to inform the planning committee members of the background and current status of the Esso Southampton to London Pipeline National Strategic Infrastructure Project (NSIP) which is currently under consideration by Winchester City Council (WCC) and then to agree on a level of officer delegation, in consultation with the Portfolio Holder for Built Environment for future actions.

RECOMMENDATIONS:

1. That Members note the contents of this report.
2. In view of the nature of the proposal and the limited impact on the district, that Members agree to delegate to officers, in consultation with the Portfolio Holder for Built Environment the **full** role of responding to the planning inspectorate with regard to the Councils responsibilities as one of the host authority for the Esso Southampton to London Pipeline Project.

IMPLICATIONS:

- 1 COUNCIL STRATEGY OUTCOME
- 1.1 **Improving the quality of the Districts environment:** securing the best possible environmental outcome by active engagement in the NSIP process.
- 2 FINANCIAL IMPLICATIONS
- 2.1 None.
- 3 LEGAL AND PROCUREMENT IMPLICATIONS
- 3.1 None arising from this paper.
- 4 WORKFORCE IMPLICATIONS
- 4.1 A planning officer is acting as the main contact and drawing in other colleagues as required when formulating responses.
- 5 PROPERTY AND ASSET IMPLICATIONS
- 5.1 None.
- 6 CONSULTATION AND COMMUNICATION
- 6.1 The guidance specifically discourages the Council from initiating any consultation exercise. Esso have undertaken contacts with the public and these will continue into the examination stage.
- 7 ENVIRONMENTAL CONSIDERATIONS
- 7.1 None directly related to the decision sought by this report.
- 8 EQUALITY IMPACT ASSESSEMENT
- 8.1 None.
- 9 DATA PROTECTION IMPACT ASSESSMENT
- 9.1 None required.
- 10 RISK MANAGEMENT
- 10.1 None at this time.

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<i>Property</i>	N/A	N/A
<i>Community Support</i>	N/A	N/A

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

## 11 SUPPORTING INFORMATION:

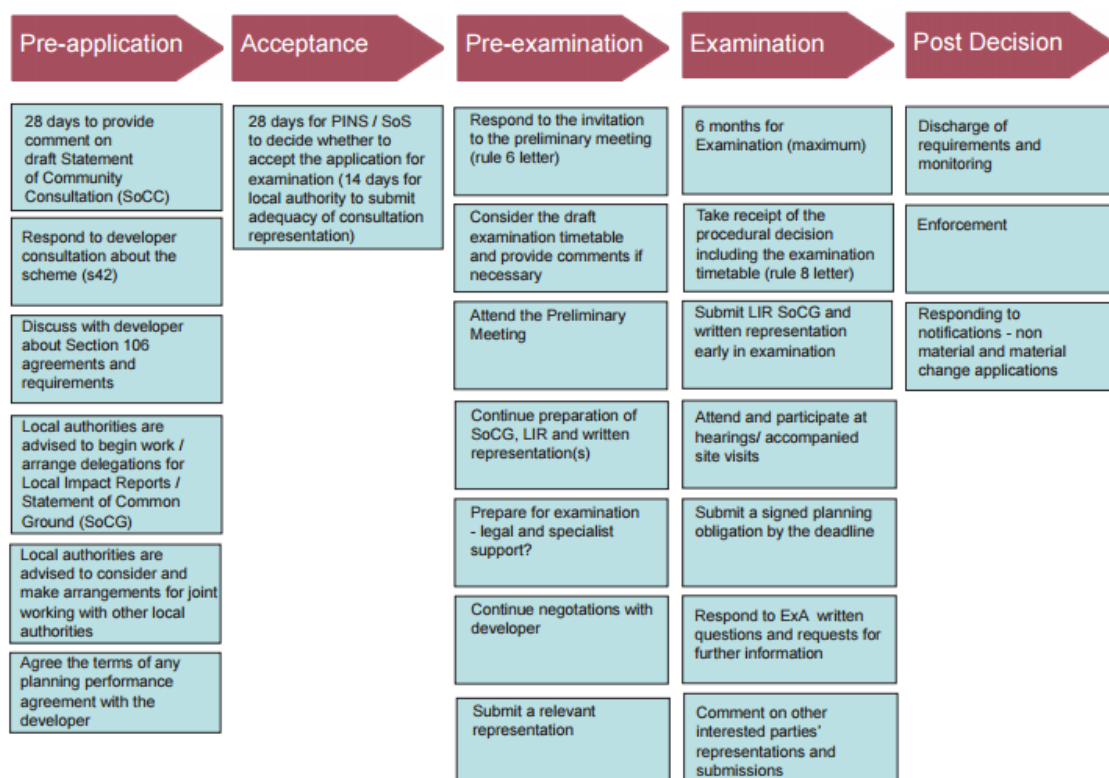
### **Background to National Strategic Infrastructure Projects**

- 11.1 National Strategic Infrastructure Projects (NSIPs) are development proposal which are considered to have more than local implications. The Planning Act 2008 introduced the procedure under which projects relating to a certain type of development must be considered by the Secretary of State (SoS) for a decision. The precise SoS who deals with the project will reflect the type of scheme under consideration. Depending on the type of project concerned, an applicant can also make a request that the SoS deal with the project rather than the local planning authority. This new procedure was a response to the long delays that schemes had endured under the 1990 Planning Act. The Heathrow Terminal 5 inquiry is often quoted as an example of this. Whilst the Infrastructure Planning Commission (IPC) was the original body set up to act as the agent for government in processing the applications, this role has subsequently been transferred to the Planning Inspectorate ( PINS).
- 11.2 If an NSIP is successful, a Development Consent Order (DCO) is issued. This is not a planning permission but a separate legal statutory instrument. Usually, the decision can include consents over a range of aspects and can also include compulsory purchase powers. When a DCO is issued, it is usually accompanied by requirements which are similar to planning conditions and address outstanding issues that have to be resolved. These requirements are submitted to the relevant local planning authority (LPA) for a decision. Any monitoring and enforcement are also the responsibility of the LPA. A link to the NSIP web page is set out in the background documents below.
- 11.3 The process of considering and making a decision on a NSIP goes though 5 distinct stages. The following is an extract from the advice note (The role of local authorities in the development consent process) which can be view via the following link:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/03/Advice\\_note\\_2.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/03/Advice_note_2.pdf)

This sets out these stages and the main actions within each stage.

# The role of local authorities



- 11.4 The applicant is expected to drive the proposal in the pre application stage by developing the proposal and undertaking the required consultations with statutory bodies and the wider public. Local Planning Authorities are encouraged to engage with applicants at this stage to help shape and influence the nature of the proposal. Once the project is formally submitted, PINS becomes the central figure and they dictate the timetable. The acceptance and examination stages contain specific deadlines for actions by interested parties if they wish to see their views taken into account.
- 11.5 A fuel pipeline falls into the definition of schemes that would be classified as an NSIP. Therefore, it must be submitted to PINS for determination. It also meets the threshold that would require an Environmental Impact Statement to be submitted with any application. In July 2018 Esso submitted a scoping report to PINS seeking to identify the topics that would form the basis of an Environmental Impact Report. In September 2018 PINS responded with a scoping opinion that identified a range of topics.



### **The Southampton to London Pipeline Project.**

- 11.6 Esso have identified that the existing 105km pipeline between Fawley and the London Storage facility at Hounslow that was installed between 1969-72 is getting towards the end of its life and needs replacing. This pipeline was originally consented under the Esso Petroleum Act 1961. Since the 1980s it has been used to supply aviation fuel to the London area. To put it in some sort of context, it would need a fleet of 100 road tankers making the round trip each day to move an equivalent amount of fuel. The first section of the pipeline up to Boorley Green has already been replaced leaving 90km to be completed. The extent of the pipeline means it crosses multiple local authority boundaries.
- 11.7 Through a design evolution procedure the corridor routes has been identified and then refined down to a single preferred route. Effectively, this parallels the existing pipeline. The corridor will be 30m wide to accommodate the storage piles of top soil and sub soil and provide a haul route, working area and the trench. Where the route crosses a field boundary formed by a hedge or trees the corridor width will be reduced to 10m to minimise the amount of vegetation lost. The gaps would be replanted. Once installed, a 3m easement strip either side of the pipeline with be instigated.
- 11.8 The pipeline which will consist of 30cm diameter pipes will be buried approximately 1.2m below the surface with the majority of the sections installed by using a simple open trenching method. The other sections where they cross sensitive locations or infrastructure such as certain road would be formed by boring under the feature. The route includes a number of pumping stations and valve facilities which mean sections can be isolated if required. Monitoring facilities are to be installed as part of the operation. The new pipeline has a projected design life of 60 years.
- 11.9 The decommissioning of the existing pipeline is not part of the NSIP as it is already covered by the original consent.
- 11.10 Links to the applicant page on the NSIP web site and to the applicants own website at provided at the end of this report.

### **Engagement by Winchester City Council in the Process**

- 11.11 Two elements of the proposal relate to land within the Winchester City Council area and need to be considered by the Planning Committee. They are firstly, a short section of the pipeline and secondly, the intention to form a temporary hub depot just north of the A31 west of Ropley Dean.

- 11.12 Whilst the section of the pipeline that crosses the Winchester City Council administrative area runs from Ford Lake (a tributary to the River Hamble) approximately 18km up to West Tisted where it then crosses into the East Hampshire district, the fact that the South Downs National Park Authority hold responsibility for the majority of that length means this Council only needs to consider the section from Ford Lake up to the B2177 Winchester Road west of Bishops Waltham. Attached as appendix A is a plan showing this specific section. This is a length of approximately 4 km or 4.5% of the total to be installed under the DCO. The details of the design for this section show that the pipeline would be installed by the open trenching method. Once installed, the above ground evidence of the presence of the pipeline will be minimal.
- 11.13 The second element relates to the temporary hub depot that will be located to the north of the A31 and west of Ropley Dean. It is located just inside the district boundary which runs down the eastern side of the depot and outside the national park area which lies to the south. Attached as appendix B is a plan showing the location of the depot. This location appears to have been chosen due to its road access. The depot will offer offices and welfare buildings with space for the storage of materials, a fabrication area and vehicle/plant repair facilities.
- 11.14 The LPA has been involved with the applicants in the pre application stage offering advice and reviewing the scheme as it has developed. The degree of officer involvement with the developer has reflected the nature of the proposal and the level of interest it has attracted. A lead Planning Officer has been identified to act as a hub, drawing in and co-ordinating responses from other colleagues within the Council to ensure a uniform and consistent response. Officers have engaged with the applicant by participating in meetings. One such update is scheduled for Tuesday 14 May 2019. A verbal update on any new information arising from that meeting will be given at the committee meeting.
- 11.15 The LPA has recently been notified by PINS that the formal application will be submitted to them by the 19<sup>th</sup> May 2019. That will trigger the acceptance stage actions by PINS which will consist of a request to all host authorities seeking confirmation within 14 days that the consultation exercise undertaken in the pre application stage was considered adequate. If PINS accept the submission then there will be a requirement to submit further responses in the pre examination stage and then participate in the examination stage.

#### **Delegation Requirement**

- 11.16 The proposal has limited impact within that section of the District outside the National Park. A combination of the case put forward of the need for a

replacement of the existing pipeline and the degree of the detail of work undertaken by the applicant on the submission has not resulted in this scheme raising any controversial issues. This is in contrast to the Aquind NSIP that is some 8 months behind this scheme in terms of the procedure forward the examination stage. Members will recall the report to the Planning Committee at the 25 April 2019 meeting on the Aquind project. That scheme involves a higher level of impacts during the construction and operational phases with the laying cables along highways and significant buildings at the Interconnector Station at Lovedean. Whilst the Councils formal response to Aquind will come in front of the committee for consideration, for the reasons outlined above, it is not considered necessary for members to spend time on considering the formal comment for the Esso proposal at the examination stages. It is therefore suggested that this matter is delegated in full to officers in conjunction with the Portfolio Holder for Built Environment. The proposed recommendation reflects this approach.

## 12 OTHER OPTIONS CONSIDERED AND REJECTED

### 12.1 None

#### BACKGROUND DOCUMENTS:-

Previous Committee Reports: None

#### Other Background Documents:-

<https://infrastructure.planninginspectorate.gov.uk/>

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

[https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/03/Advice\\_note\\_2.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/03/Advice_note_2.pdf)

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/southampton-to-london-pipeline-project/?ipcsection=overview>

<https://www.slpproject.co.uk/>

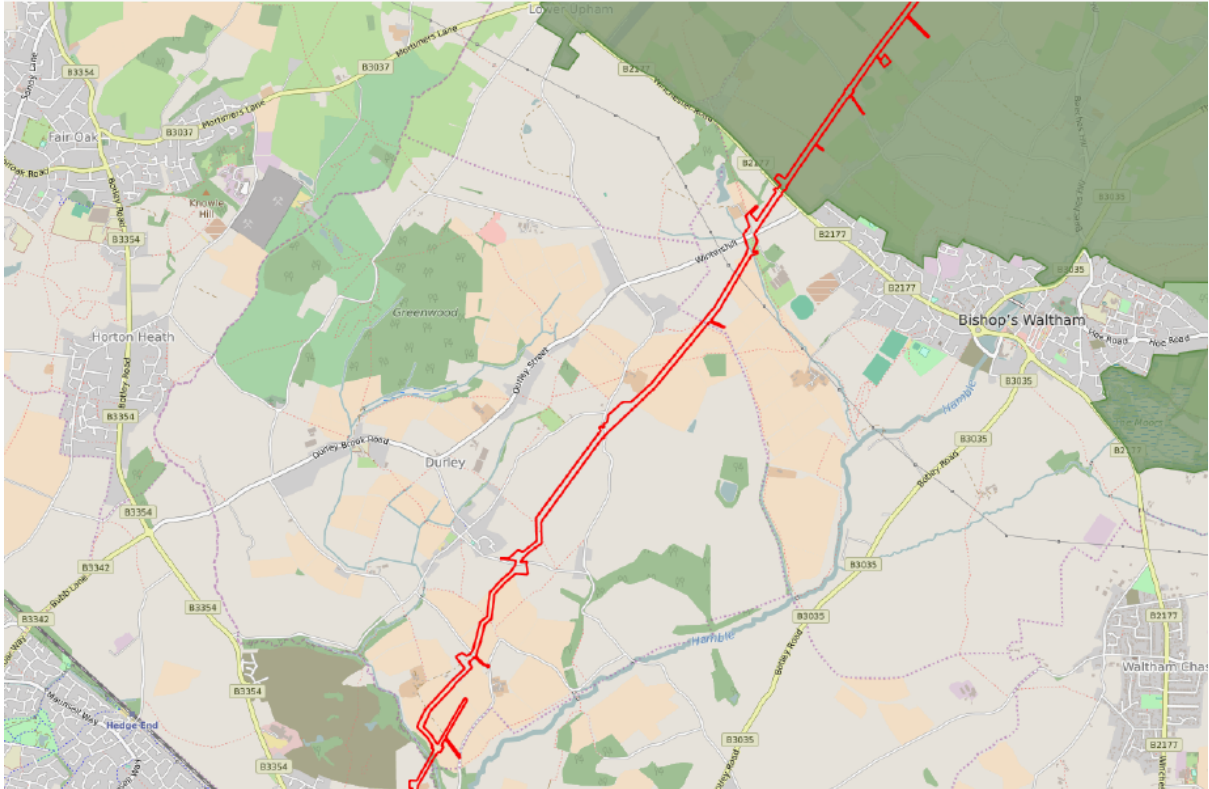
#### APPENDICES:

Appendix A Plan Showing the Pipeline corridor Entering the District at Ford Lake and then entering the National Park.

Appendix B Plan Showing the Ropley Dean Temporary Hub Depot Site and the Pipeline Corridor to the South.

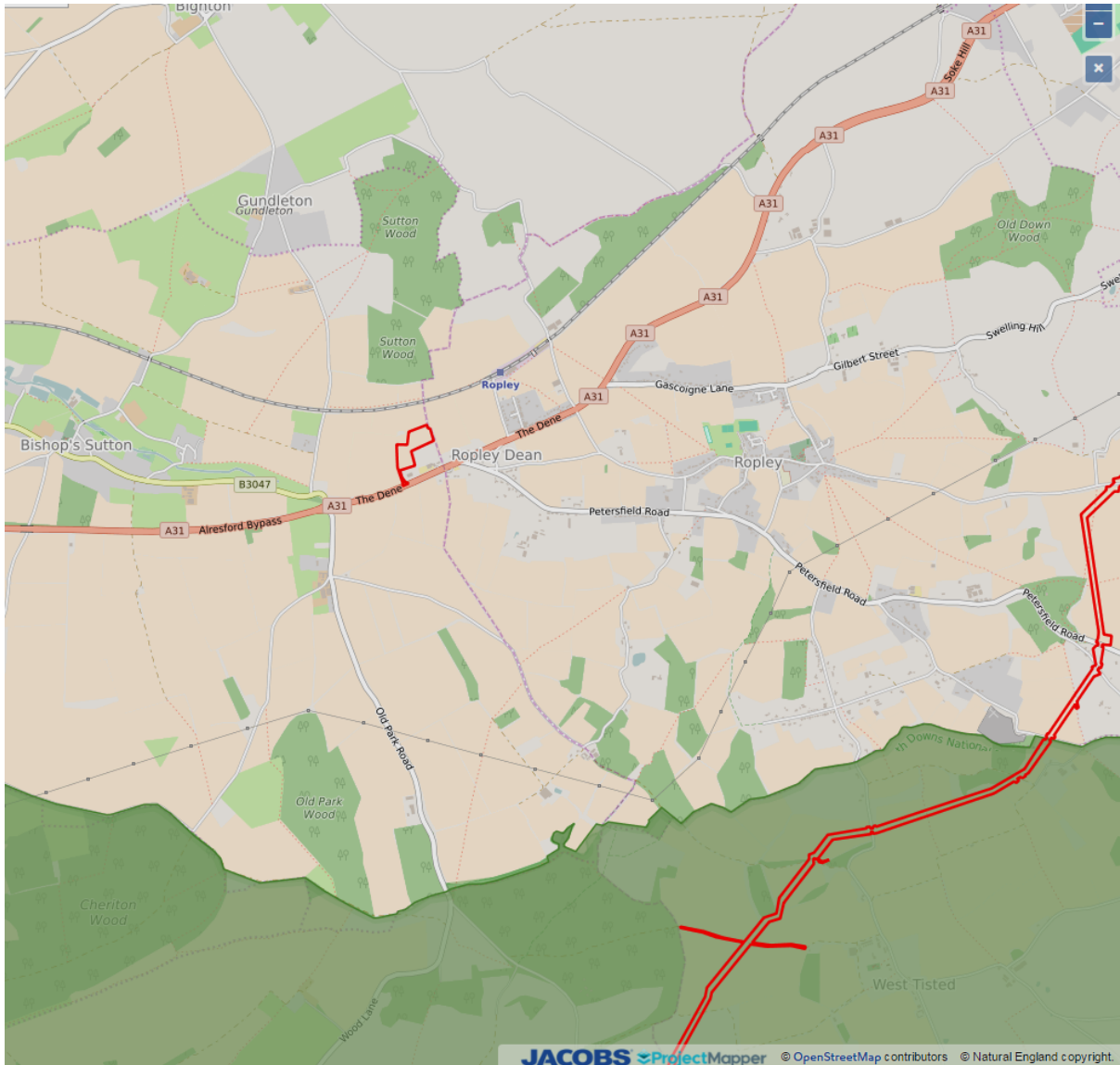
APPENDIX A

Plan Showing the Pipeline corridor Entering the District at Ford Lake and then entering the National Park



APPENDIX B

Plan Showing the Ropley Dean Temporary Hub Depot Site and the Pipeline Corridor to the South.



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