



Meeting	Planning Committee
Date and Time	Wednesday, 10th January, 2024 at 9.30 am.
Venue	Walton Suite, Guildhall Winchester and streamed live on YouTube at www.youtube.com/winchestercc

Note: This meeting is being held in person at the location specified above. Members of the public should note that a live video feed of the meeting will be available from the council's YouTube channel (www.youtube.com/winchestercc) during the meeting.

A limited number of seats will be made available at the above named location however attendance must be notified to the council at least 3 clear working days (by 4.30pm, Thursday, 4 January 2024) before the meeting. Please note that priority will be given to those wishing to attend and address the meeting over those wishing to attend and observe.

AGENDA

1. **Apologies and Deputy Members**

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

2. **Disclosures of Interests**

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

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

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



3. **Minutes of the previous meeting.**

Minutes of the previous meeting held on 12 December 2023.
(Minutes to follow)

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 4.30pm, Thursday, 4 January 2024** on (01962) 848 339 to register to speak and for further details.

4. **Where appropriate, to accept the Update Sheet as an addendum to the Report**

5. **Planning Applications items 6-9, (Reports and Update Sheet refers)**

6. **Land To The East Of Burnet Lane Kings Worthy Hampshire (Case No: 22/00819/FUL) (Pages 9 - 48)**

(Ward: The Worthys)

7. **Land South Of School Lane Denmead Hampshire (Case No: 23/01908/OUT) (Pages 49 - 86)**

(Ward: Denmead)

8. **Threeways Heath Road Wickham Fareham Hampshire PO17 6LA (Case No: 23/01099/FUL) (Pages 87 - 110)**

(Ward: Central Meon Valley)

9. **Wildwood Fairfield Road Shawford Winchester Hampshire SO21 2DA (Case No: 23/01806/FUL) (Pages 111 - 142)**

(Ward: Badger Farm & Olivers Battery)

**Laura Taylor
Chief Executive**

All of the Council's publicly available agendas, reports and minutes are available to view and download from the Council's [Website](#) and are also open to inspection at the offices of the council. As part of our drive to minimise our use of paper we do not provide paper copies of the full agenda pack at meetings. We do however, provide a number of copies of the agenda front sheet at the meeting which contains the QR Code opposite. Scanning this code enables members of the public to easily access all of the meeting papers on their own electronic device. Please hold your device's camera or QR code App over the QR Code so that it's clearly visible within your screen and you will be redirected to the agenda pack.



2 January 2024

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**With the exception of exempt items, agendas, reports and previous minutes are available on the Council's Website <https://www.winchester.gov.uk/councillors-committees>*

MEMBERSHIP

Chairperson:
Rutter (Liberal Democrats)

Vice-Chairperson:
Edwards (Liberal Democrats)

Conservatives

Cunningham
Read

Liberal Democrats

Achwal V
Gordon-Smith
Laming
Small

Green

Lee

Conservatives

Bolton and Pearson

Deputy Members Liberal Democrats

Pett and Williams

Green

Wallace

Quorum = 3 members



Working in Partnership



THE HUMAN RIGHTS ACT 1998:

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

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

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

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

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

GENERAL GUIDANCE ON THE WORK OF THE COMMITTEE:

Background

The Planning committee meets on average once every four weeks. The membership of the committee is drawn from elected city councillors.

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

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

At the meeting

At the start of the committee meeting, the councillors and officers will be introduced. Any councillor's declarations of interest will also be announced at this point. If the interest is considered by the councillor to be significant, he/she will leave the meeting when it reaches that item on the agenda.

Timing

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

The Officer's presentation

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

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

Public participation:

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

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

The process is controlled by procedures to ensure fairness to both objectors and supporters. **To register to speak at the meeting, please contact the Public Speaking Co-ordinator on 01962 848 339 by 4:30pm at least THREE clear working days before the meeting,** (Thursday, 4 January 2024) in order to allow the meeting to be managed as efficiently as possible.

Please keep to the time allocated.

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.

Further information about speaking at the Planning Committee can be [found here](https://www.winchester.gov.uk/planning/other-guidance/public-speaking-at-planning-committee). (<https://www.winchester.gov.uk/planning/other-guidance/public-speaking-at-planning-committee>)

Members' Questions

After the officers' presentation and public participation there will be an opportunity for the Councillors on the committee to ask questions of the officers and clarification, if necessary, of public speakers.

The Councillors' Debate

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

- permit,
- refuse or
- defer (usually for a site visit or for further information). If a site visit is required then the item will usually be deferred to the next meeting of the committee to allow it to be reconsidered after the site visit has been held. The item will be reconsidered in its entirety, including public participation where those registering to speak will be given the opportunity to address the committee.

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

Voting

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

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

After the meeting

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

Filming and broadcast notification

This meeting will be recorded and broadcast live on the Council's YouTube channel. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#). Please note that the video recording is subtitled, but you may have to enable your device to see them (advice on how to do this is on the meeting page).

Disabled access

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

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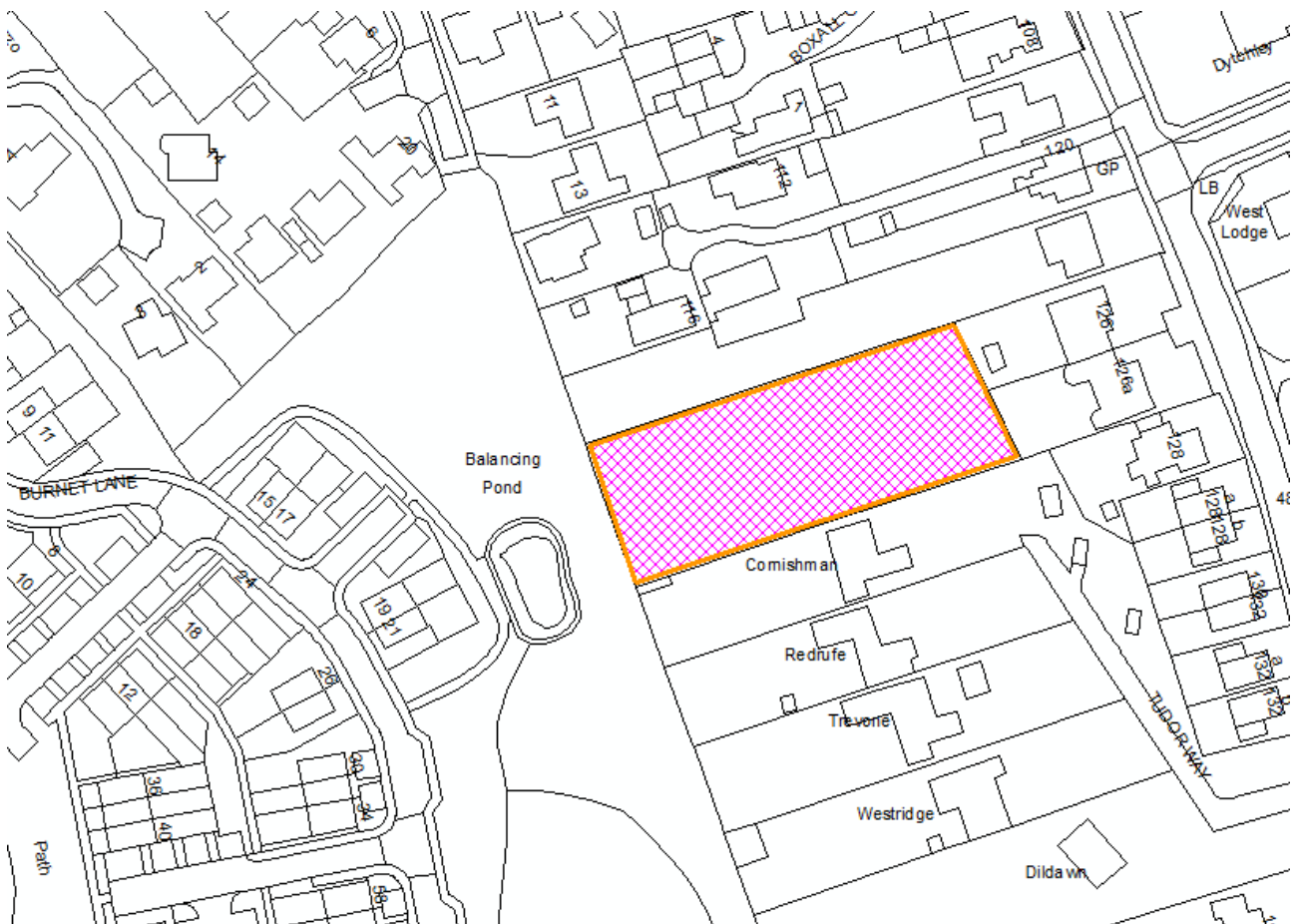
WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 22/00819/FUL
Proposal Description: Development of seven dwellings and the formation of a new vehicular access (AMENDED PLANS)
Address: Land To the East Of Burnet Lane Kings Worthy Hampshire
Parish, or Ward if within Winchester City: Kings Worthy Parish Council
Applicants Name: Mr Richard Wickins
Case Officer: Mrs Megan Osborn
Date Valid: 16 May 2022
Recommendation: Application Permitted
Pre Application Advice Yes

Link to Planning Documents

[Link to page – enter in reference number 22/00819/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that it will not result in a harmful impact on the character of the area or highway safety and would not harm neighbouring residential amenity and is in accordance with the development plan.

General Comments

The application is reported to Committee because of the number of Objections, received contrary to the Officer's recommendation.

Amendments to Plans Negotiated

This application has been amended a couple of times due to ecology updates. These plans are the final submitted amended plans:

7930_D01_Rev N - Proposed Site Plan
7930_D02_Rev C – Proposed Site Sections
7930_D03_Rev D – Plot 01 and 02 Floor Plans
7930_D04_Rev A – Plot 01 and 02 Roof Plan
7930_D05_Rev D – Plot 01 and 02 Elevations
7930_D06_Rev B – Plot 03 and 04 Floor Plans
7930_D07 – Plot 03 and 04 Roof Plan
7930_D08_Rev B – Plot 03 and 04 Elevations
7930_D09_Rev C – Plot 05 Floor Plans
7930_D10_Rev A – Plot 05 Roof Plan
7930_D11_Rev D – Plot 05 Elevations
7930_D12 – Plot 05 Garage
7930_D13_Rev A – Plot 06 Floor Plans
7930_D14_Rev A – Plot 06 Roof Plan
7930_D15_Rev A – Plot 06 Elevations
7930_D16 – Plot 07 Floor Plans
7930_D17 – Plot 07 Roof Plan
7930_D18_Rev A – Plot 08 Elevations
7930_L01 – Location Plan
722-102 Landscape Plan

The amendments were submitted on the 26th September and re advertised to the same neighbours for the full statutory period.

The amendments were made to allow for the ecological requirements needed for this site. The Ecology Officer has now raised no objections to the revised plans, subject to a legal agreement and conditions.

Site Description

The site is located within the village of Kings Worthy. The site is accessed from Burnet Lane, which is a development that was permitted in 2019 (19/00048/FUL) for 35 affordable housing units. There is an area of open space located to the south and west of this housing development that is used as public open space that has a number of public footpaths leading to the Watercress Way and the rest of Kings Worthy.

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The application site is located to the east of the Burnet Lane application. The site would be accessed from the end of a small section of road from the development. Surrounding the site are dwellings accessed from Springvale Road to the north and east and the houses on Tudor Way to the south.

The existing site is covered in vegetation and is not currently easily accessible.

Proposal

The proposal is for seven dwellings. Four of these are proposed to be semi detached properties and 3 detached dwellings. The dwellings will be a mix of 2x2 bedroom units, 2x3 bedroom units and 3x4 bedroom units.

The access to the site is from the housing development to the west and the access road runs to the north of the housing with a turning head approximately halfway up the site.

Relevant Planning History

This site has no specific planning history for this application site. There are a number of planning applications that have been permitted and built out or are pending surrounding the site.

An application was permitted in 2013 for the residential development for 25 no. affordable dwellings including associated roads, parking area and landscaping 12/01912/FUL for the area that is called Blackberry field at the beginning of Burnet Lane. This has been built.

A further application was permitted in 2019 for the development of 35 units, including infrastructure and the open space provision associated with the development area. Provision of remaining open space, (change of use from agricultural, to publicly accessible recreation land). Diversion of Public Right of Way (ROW/3189777), in addition to a minor diversion of one of the three claimed Rights of Way (19/00048/FUL). This is the development on Burnet Lane and it has been completed.

An application has been submitted and is still pending a decision for Tudor Way for the redevelopment of the site to provide 20 dwellings (21/02410/OUT).

Consultations

Service Lead for Community and Wellbeing (landscape)

No objections

Service Lead for Community and Wellbeing (Trees)

No objections, subject to conditions 21 – 25.

Service lead for Community and Wellbeing (Ecology)

A holding objection was made to this application requesting further information. Further information has been submitted, which is acceptable as set out below.

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Hazel dormouse

Sufficient mitigation and compensations measures are now proposed. This includes a 5m buffer around the majority of the development (although there are a couple of sections where the buffer is reduced to 3m) and a dormouse bridge to maintain connectivity.

Improvement of dormouse habitat off-site (to the south) to compensate for loss of habitat on site. The proposed compensation measures are above and beyond the actions listed in the existing off-site management plan and crucially will not impact any of the previously agreed mitigation/compensation. This will need to be secured via a S106 and a monetary contribution is expected for the landowner to deliver the actions in the LEMP.

A European Protected Species Licence for dormice will need to be obtained before any vegetation clearance or works can take place on site.

BNG

Metric 3.1 has been completed showing a 74.95% biodiversity net gain (BNG) in habitat units and a 100% gain in hedgerow units.

It should be acknowledged that there is an overlap between the proposed dormouse mitigation and BNG. It is understood that when 10% BNG becomes mandatory in January, delivery of habitat creation/enhancement for protected species mitigation could contribute up to a point equivalent to no net loss but not beyond. To achieve the required biodiversity unit uplift beyond no net loss to meet the BNG requirement, there must be habitat provision or enhancement beyond the minimum requirements for the dormouse mitigation.

Overall, the metric demonstrates that the proposal will be beneficial to biodiversity and is in accordance with CP16 & NPPF.

Conditions 13, 14 and 17 and a legal agreement are recommended for this site to secure the mitigation included in the ecology report and the off-site mitigation is carried out.

Service Lead for Environment (Contamination)

No objections, subject to condition 19.

Service Lead for Engineering (Drainage)

No objections, subject to a condition 11.

Hampshire County Council: Highways Authority.

Comments were made on the 22nd June 2022 with a holding objection requesting further information.

Following further information received additional comments were received on the 9th August 2022. No objections were raised, subject to condition 16 for the CMP.

Hampshire County Council: Rights of Way

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Comments made on the 19th December 2022 raising an objection to the access crossing the existing Public Right of Way and the lack of acknowledgement of this on the submitted plans.

Following further information additional comments were received on the 4th April 2023. No objections were raised, subject to condition 20.

Natural England

No objections, subject to nutrient condition 12.

Representations:

Councillor Steve Cramoyson comments from the 13th June 2022

This site is adjacent to a site on the west known locally as Top Field. Top field was developed as a rural exception and completed in 2021. The work on the landscaping and public open space is being completed. There was substantial public resistance who formed a group known locally as Top Field Action Group (TFAG). Among the concerns raised was the impact on the ecology, and the congestion it would add to the junction of Hookpit Farm Lane and Springvale Rd "The Tesco junction."

Many in TFAG were persuaded to withdraw their objections when the Leader of the council at the time, Caroline Horrill, assured them in public meetings held in Nov/Dec 2018 that there would no more development on Top Field. While technically outside of the Top Field red line plan, the proposal to use an access onto Burnet Lane will cause more traffic to use the "Tesco junction".

Local people have a strong case to believe that WCC is failing to keep its promises. Addressing concerns about traffic congestion at the Tesco junction, the then leader also said it would look into delivering a layby to avoid cars parking on the highway. This has proved undeliverable. A development that adds more traffic would compound that issue.

Ecology

Currently the site is wild and supports a wildlife eco system that links through the ecology mitigation zones on Top Field allowing a corridor for wildlife through onto the open space. The proposed development will remove most of the undergrowth and wild areas that support the remaining wildlife habitat in the area. Further, the access to the site will cut through the Top Field ecology mitigation area. This will break the corridor for small animals to forage.

The Ecology reports claims that Government Biodiversity Net Gain Metric was applied to the site with a plan to achieve 15.61% Biodiversity Net Gain by enhancing retained habitat and creating new habitat on site, and by creating new habitat off site. I cannot see how developing this site will create a net gain in biodiversity. The report does not explain exactly how nor where, this will happen. If the location is offsite, it begs the question of "where"? If offsite the local community will not experience that net benefit.

The report appears to claim some gain on the Top Field area. Gains on the Top Field area are already accounted for as ecology damage mitigation for the Top Field development. This should not be double counted for this site.

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Highways

The proposed route onto the site, via Burnet Lane, Hookpit Farm Lane and Springvale Road. HCC refused to adopt Burnet Lane due to the steepness of the access road. It is a poor route for additional traffic, and especially for the large vehicles that will be needed during the stages of preparing the ground works and construction.

Access onto the site from Burnet Lane will be via a steep drive which will be a hazard in icy weather for any vehicles accessing, including the waste collection HGV's.

The Highways statement understates the distance from the proposed development through to various amenities.

Most traffic leaving Hookpit Farm Lane onto Springvale Road, turns right, to head south towards Winchester, or for other amenities. It is likely that this will be the same for any residents of houses built.

In a direct line, it is less than 100 metres from the lower corner of the site to Springvale Rd, whereas the proposed access route leads to a 1Km drive to get to the same place, and the same back. Most journeys to or from the site will be 1.8Km longer than they need to be, contributing additional CO2 than if the access was via the direct route.

This will add to journey times for any emergency services vehicles accessing the site. Planners should encourage the developers (Shorewood) of this site, the adjacent site in Tudor Way (Fortitudo) and the existing site known as Driftwood, to reach an agreement for a sustainable access via an improved Tudor Way. This will reduce the risk of a 4year old house on Springvale Road being demolished, as well as the CO2 damage of the long route.

Should the development take place, planners should require that permeability be established for pedestrians, and cycling through the site onto Top field.

The vehicle movement data uses TRICS data for England & Wales. The numbers estimated do not pass common sense assessment. These properties will most likely be family houses with a considerable number of vehicle movements of adults, visitors and deliveries, every day. While the TRICS data may be average for England and Wales, it is not a good proxy for a semi-rural community such as Kings Worthy which have a much higher dependence on cars and vans.

Flooding risks

The current wild area of the site, act like a sponge in the event of rainstorms. The development will significantly reduce the amount of land available for absorption of rainfall, increasing the risk of flash floods.

Kings Worthy Parish Council

The parish supports this application

Neighbour comments

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This application has been amended since the first submitted application and therefore further consultations were sent to neighbours.

45 Objecting Representations received in total from different addresses citing the following material planning reasons:

- We shouldn't be building on countryside
- Kings Worthy school is already over subscribed
- This would impact on the nature of the area
- The increase of dwellings would put pressure on local infrastructure
- There are drainage and flooding problems in this area
- Impact in terms of overlooking, loss of light and overbearing to residents on Springvale Road
- Light pollution
- Impact on ecology
- Impact from construction lorries
- Electricity grid is overloaded
- Trees will be lost
- There will be a detrimental increase of traffic
- There should be no development in this gap
- Object on ecology and sustainability ground
- Inadequate vehicle turning
- Impact of additional traffic on the Tesco junction

Comments made on re-consultation April 2023 (11 in total, 7 commented previously)

- This is not an improvement
- Any form of development on this site is unacceptable
- The access cuts through the public footpath

Comments made on re-consultation Nov 2023 (6 in total all commented previously)

- Still impact on terms of ecology
- The highways report doesn't considered effect of traffic on Burnet Lane
- The access cuts through the ecology mitigation agreed by WCC.
- The increase in the number of bedrooms means an increase in traffic/school places etc.
- There is insufficient parking proposed

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance

Climate Change

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Consultation and pre-decision matters
Design: process and tools
Environmental Impact Assessment
Flood risk and coastal change
Planning Obligations
Use of planning conditions

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1). DS1 – Development Strategy and Principles

Policy DS1 – Development Strategy and Principles
Policy MTRA1 – Development strategy market towns and rural area
Policy MTRA2 – Market Towns and Large Villages
Policy CP2 – Housing mix and provision
Policy CP3 – Affordable housing provision on market led housing
Policy CP10 - Transport
Policy CP11 – Sustainable Low and Zero Carbon Built Development
Policy CP14 – The effective use of land
Policy CP13 – High Quality Design
Policy CP16 – Biodiversity
Policy CP17 – Flooding, Flood Risk and the Water Environment
Policy CP20 – Heritage and Landscape Character

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

DM1 – Location of New Development
DM2 – dwelling sizes
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Design Principles
DM18 – Access and Parking

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Kings Worthy and Abbots Worthy Village Design Statement 2007
Springvale Road Local Area Design Statement 2007

Other relevant documents

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030
Statement of Community Involvement 2018 and 2020
Landscape Character Assessment December 2021
Biodiversity Action Plan 2021
Position Statement on Nitrate Neutral Development – March 2022

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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The site is located within the area of Kings Worthy. Kings Worthy has its own settlement boundary where the principle of development for housing is considered acceptable. This site is located within this boundary and the proposals are in accordance with policy DM1 of the Local Plan Part 2. The access into the site is located outside the settlement boundary, this is acceptable to access the site.

Policy CP2 of the Local Plan Part 1 considers housing mix. The policy requires that there should be a majority of 2 & 3 bed dwellings, unless local circumstances indicate an alternative approach should be taken.

This application is for 7 dwellings, 2x2 bed, 2x3 bed and 3x4 bed. This provides over 50% 2 and 3 bedrooms.

It is therefore considered that this proposal would sufficiently meet the criteria of policy CP2 of the Local Plan Part 1.

The proposals would not need to make a contribution towards affordable housing as it is not for major residential development (residential schemes are major development if they are of 10 dwellings or more). The proposal is therefore in accordance with policy CP3 of the Local Plan Part 1.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

Historic Environment

No Impact, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

Impact on character and appearance of area

The proposal is for a mix of dwelling types and sizes, with parking for all dwellings and a landscape buffer surrounding the site. The housings are in a liner form, with the semi-detached dwellings to the front of the site and leading down to the detached properties to the rear.

The surrounding area is residential, with dwellings immediately to the north, east and south with the application site sharing its boundary with domestic gardens. There is a buffer of landscaped land to the west in between the proposed housing on this site and the houses on Burnet Lane.

The proposed layout is considered acceptable in relation to the character of the surrounding area and there is a significant amount of landscaping and space surrounding the dwellings, which result in a well-spaced out development.

The design of the dwellings is a traditional form, which would not appear out of place within the surrounding area.

The Kings Worthy Village Design Statement and the Springvale Road Character Area Statement discuss the importance of the views in and out of Kings Worthy. It is considered that the removal of the vegetation and the development of this site for housing

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would not result in a significant harm to the wider views in that it is located within an already built up area and it integrates into the existing built form. The Village Design Statement also restricts new buildings within the existing village envelope, that are well designed to create attractive, sociable spaces and a sense of place. This site is located within the development boundary of King Worthy and therefore in the existing village envelope. It is considered that the proposal is well designed and would not result in an incongruous form of development in relation to the character of the surrounding area. This proposal is therefore in line with these design statements.

The proposals have been assessed by officers and the developers have worked with the council and propose a scheme that is considered acceptable in relation to the character of the surrounding area and would therefore not result in a detrimental development.

Therefore it is considered that the proposal complies with the Kings Worthy Village design statement and the Springvale Road Area design statement and policies CP13 of the LPP1, DM15,16 and 17 of the LPP2 and the supplementary planning document High Quality Places in that the design, layout, mass and bulk of the proposed dwellings is acceptable.

Landscape/trees

The site is covered in scrub and young trees but doesn't contain many trees worthy of protection.

Tree loss would be confined to low grade trees and would in any case be mitigated by the planting of new semi mature trees.

A Landscape Plan has been submitted (722-102) which shows both retained mature trees (mainly Sycamore and Birch) and several new trees. There would be negligible harm to the rural character of the area.

The proposal includes an access from the newly completed Burnet Lane development. Again there is no objection to this. The Topfield area of open space which is outside the settlement boundary is now legally available as public open space and the land is under the councils ownership (June 2022). This has only been made possible by the local authority permitting some development on Topfield. It is considered that this proposed link would not dilute the appeal of the Topfield area of Public open space as it is located at a discrete low point of the Topfield site. The existing hawthorn scrub would be maintained either side of the link.

The dwellings will be viewed in the wider context from longer views from Springvale Road and further up the other side. The dwellings will have either clay or slate roofs and with the natural materials, it is considered that the dwellings would not result in visual harm from these view points when viewed in relation to the surrounding properties in this area.

Therefore it is considered that the proposals are acceptable in relation to policies CP20 of the LPP1 and DM23 of the LPP2.

Development affecting the South Downs National Park

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) updated 2021. The Circular and NPPF confirm that National Parks

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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.

The application site is located 1 km from the South Downs National Park within a built up area and in this context it is not considered that the development would affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Neighbouring amenity

The proposal is for seven dwellings, located with an area of existing dwellings.

There are dwellings to the north of the site, that are accessed from Springvale Road. Plots 1, 2, 3 and 4 have their frontages to the north and bedroom windows at first floor on this elevation. There is a distance of approximately 20m from the elevations of the new dwellings to the rear elevation of 116 Springvale Road. Similarly, plot 5 has front windows looking towards 118 Springvale Road, there is a distance of approximately 19.7m between the two elevations. It is therefore considered that due to the distances between these dwellings, an overlooking, overshadowing and overbearing impact would be avoided.

Plot 7 also fronts to the north of the site, however looks towards the rear garden of 122 Springvale Road. This dwelling has a raised parking area to the rear and therefore this dwelling would be looking towards this and this would not result in any material planning harm in terms of overlooking towards private amenities.

Plot 7 backs onto dwellings 124 and 126 Springvale Road, there are now windows on this first floor side elevation of the dwelling and therefore this would not result in any overlooking harm.

The rear of Plot 5 backs onto Cornishman on Tudor Way. There is a distance of approximately 18.5m from elevation to elevation.

Given the above assessment, it is considered that the proposed development would not result in any material planning harm in terms of overlooking, overshadowing or overbearing on any surrounding residential amenities.

Therefore it is considered that the proposal complies with policy DM15, DM16 and DM17 of the LPP1.

Sustainable Transport

The revised plans address the previous highway concerns made on the 23rd June 2022.

The amended plans made changes to:

- Widened footways to 2m
- Internal layout changes
- Speed calming measures
- Visibility splays shown
- Re-run swept paths

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The applicant has submitted drawing NCJ-001 in the revised highway technical note and a revised proposed site layout drawing (7930_D01_Rev N) which shows that the footway has been widened to 2m, suitable speed calming measures implemented, suitable visibility splays from the parking bays and suitable swept paths can all be accommodated within the site and therefore the Highway Authority is satisfied that the previous comments have been addressed.

Therefore, there are no objections from the Highway Authority to the proposals.

In terms of parking, the applicant has provided the proposed site plan drawing (7930_D01_Rev N) which shows that each dwelling will provide multiple parking provisions. There are no objections to the proposed parking.

Condition 20 requires the Applicant to submit details for approval of how public footpaths are to be acceptably accommodated with the new access road to ensure the future safe and convenient availability of public access.

Therefore it is considered that the proposal complies with policy CP18 of the LPP2.

The site is outside the Air Quality Policy area and therefore no Air Quality assessment is required for this development.

Ecology and Biodiversity

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is required as the proposal is for overnight accommodation affecting Nitrates and Phosphates. Therefore an appropriate assessment was carried out and concluded;

There is a net increase of 7.No dwellings on urban land and therefore, it is likely that there will be an impact from nutrients associated with the proposed development entering the Solent (26.58 Kg/N/year nitrates made and 0.86kg/TP/year). Winchester City Council has adopted a Grampian condition which requires a mitigation package addressing the additional input to be submitted to, and approved in writing by, the LPA.

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution to Nitrates and Phosphates is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition 12 complies with this strategy and would result in nitrate neutral development. The applicant has demonstrated that there is a viable scheme for the mitigation of the impact of additional phosphates. The LPA will secure details of this agreement.

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It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2018.

Under Reg 63(4) of the Habs Regs the Council considers that it is not appropriate, to take the opinion of the general public, and have not therefore further advertised the Appropriate Assessment due to the small scale of the proposal.

The site consists of a small area of scrub with some semi-mature trees. The loss of an area of this habitat (0.27 Hectares) to the development will be compensated by enhancing up to 1.2 Hectares of scrub on the open space to the west and managing this accordingly. The scheme has been designed to retain a buffer area, protected during construction and enhanced with a new native hedgerow. This will be managed to ensure that wildlife corridors are maintained through the site. Some of the hazel stools will also be translocated to the buffer area. The use of the mitigation land will be set out in a legal agreement.

The adjacent development, at Top Field has records of dormice and a dormouse licence was granted for this site. Habitat creation and enhancement works are still underway as part of the proposal. A dormouse survey was carried out on this site and a hibernating dormouse was recorded. A European Protected Species licence will be required to proceed with any clearance works on the site, if planning permission is granted. The creation and protection of new habitat within the buffer area and on the land to the west will provide an enhancement in the long terms at a local level.

Bat activity surveys during the active bat season recorded at least 6 species of bats within the vicinity of the site. An area of habitat will be retained, including a managed buffer at the boundary of the existing site will ensure flightline are protected on site and enhancing the habitat on the open space land to the west will ensure there is no net loss of foraging habitat locally.

The requirement for developments to provide Biodiversity Net gain is not yet in force but the applicant has supported the proposals with an Ecological Assessments report which sets out how biodiversity will be protected and enhanced through the development. Mitigation for bat, reptiles and nesting birds will be ensured through condition 14 which requires the recommendations and measures within the Ecological Assessment report to be carried out.

The proposals will result in the loss of a number of trees and hedgerows on site. However, it is acknowledged that 1.2 hectares of scrub enhancement will be undertaken on the land the west of this site.

Overall, the avoidance, mitigation and compensation measures included in Section 5.0 'Requirements and Recommendations' of the Ecological Assessment by Peach Ecology

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(29th September 2023, issue 14, report number 0481) are acceptable, provided they can be secured via a Planning (Conditions 13 and 14).

There are no other issues affecting this legislation or the SPA and SAC, therefore it is considered that the proposal complies with policy CP16 of the LPP1.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. Conditions 9 and 10 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

The proposal therefore complies with policy CP11 of the Local Plan Part 1.

Sustainable Drainage

The proposed site is in FZ1 and has a very low risk of flooding from surface water. Therefore no objections as raised to this proposal on flood risk grounds.

The site is served by southern waters foul mains and the site can connect to this. A condition is recommend asking for details of foul and surface water to ensure the provision of an adequate and sustainable drainage system. (Condition 11)

Therefore, the proposal complies with policy DM17 of the LPP2.

Equality

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

Planning Balance and Conclusion

The applicant has worked with officers, and it is considered that the resulting scheme can be supported. The proposal for 7 dwellings in this location is acceptable and not out of character to the spatial characteristics of the surrounding area. The proposal will be visible from the neighbouring properties but will not have an unacceptable adverse impact on residential amenity. There are no highway objections to the proposal.

Overall, the scheme is well designed and will create a distinctive addition to the local area. Other planning considerations, such as landscape, ecology drainage, water, construction and waste management have been addressed appropriately. The application is therefore considered acceptable.

Planning Obligations/Agreements

In seeking the planning obligation and financial contributions for the mitigation of the land, the Local Planning Authority has had regard to the tests laid down in para 204 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed
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development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

Application Permitted subject to the following S106 Legal Agreement and conditions:

Legal Agreement – Heads of Terms

S106 to secure the delivery of off-site mitigation for dormice. This includes long term management and monitoring.

This mitigation is required to meet the 3 tests under the Conservation of Habitats and Species Regulations.

Conditions

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

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

2. The development hereby permitted shall be carried out in accordance with the plans listed below unless otherwise agreed in writing by the local planning authority:

7930_D01_Rev N - Proposed Site Plan
7930_D02_Rev C – Proposed Site Sections
7930_D03_Rev D – Plot 01 and 02 Floor Plans
7930_D04_Rev A – Plot 01 and 02 Roof Plan
7930_D05_Rev D – Plot 01 and 02 Elevations
7930_D06_Rev B – Plot 03 and 04 Floor Plans
7930_D07 – Plot 03 and 04 Roof Plan
7930_D08_Rev B – Plot 03 and 04 Elevations
7930_D09_Rev C – Plot 05 Floor Plans
7930_D10_Rev A – Plot 05 Roof Plan
7930_D11_Rev D – Plot 05 Elevations
7930_D12 – Plot 05 Garage
7930_D13_Rev A – Plot 06 Floor Plans
7930_D14_Rev A – Plot 06 Roof Plan
7930_D15_Rev A – Plot 06 Elevations
7930_D16 – Plot 07 Floor Plans
7930_D17 – Plot 07 Roof Plan
7930_D18_Rev A – Plot 08 Elevations
7930_L01 – Location Plan
722-102 Landscape Plan

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the side elevations of the first floor elevations and roofs of the dwellings hereby permitted.

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

5. All bathroom windows in the dwellings hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, 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.

6. A detailed scheme for landscaping and landscaping management, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development above damp proof course level 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.

7. No development above damp proof course level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

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

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

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

9. Prior to the commencement of the development hereby permitted, detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of a 'design stage' Standard Assessment Procedure (SAP) calculation and a water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

10. Prior to the occupation of the dwelling hereby permitted detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use(110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of an 'as built' stage SAP calculation and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval. The development shall be occupied in accordance with the approved details.

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

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

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

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

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

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

13. The recommendations within the Landscape Ecological Management Plan (Peach Ecology, 27 October 2023) and in accordance with the landscaping plan (722-102) shall be adhered to throughout all phases of the development. The 30 year Management Plan shall be implemented prior to the development coming into its intended use and thereafter.

Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To provide adequate mitigation and enhancement for protected species.

14. Development shall proceed in accordance with the 'requirements and recommendations' set out in Section 5 of the Ecological Assessment by Peach Ecology (29 September 2023), unless varied by a European Protected Species (EPS) license issued by Natural England. Thereafter, the buffer mitigation and enhancements (Appendix H) shall be permanently maintained and retained in accordance with the approved details.

Reason: To safeguard protected species and to comply with CP16 of the LPP2.

15. 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 08/23 produced by the Bat Conservation Trust and Institute of Lighting Professionals. This information shall include a horizontal illuminance contour plan as well as an explanatory document detailing the specification of each luminaire. 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.

16. Prior to work commencing on the site a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Construction parking
- Public communication strategy, including a complaints procedure.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, footpaths and highways.
- Details construction traffic management measures including the provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development
- Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway

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- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control
- specifically consider the implications for and management of Kings Worthy Public Footpath 507 and any other Public Footpaths or claimed Public Footpaths during construction.

Works shall be undertaken in accordance with the approved details and remain in force for the duration of the construction period.

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

17. 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 construction will avoid, minimise or mitigate effects on surrounding habitats. This shall include fencing, normal working hours only (to minimise noise and lighting disturbance), storage of any equipment, machinery, materials or chemicals away from where spills could enter surrounding habitats, measures to control dust and litter.

Reason: To safeguard protected species and to comply with CP16 of the LPP2.

18. An electric vehicle charging point (EVCP) in accordance with the Air Quality SPD Appendix F - Electric Vehicle Infrastructure Specification shall be installed prior to the commencement of the parking or any other ancillary or incidental use of the garage hereby approved, and thereafter maintained and kept in good working order for the lifetime of the permission.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations, and in accordance with WCC Air Quality SPD and LPP1 Policy CP13 which requires measures to minimise carbon emissions and promote renewable energy.

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

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

20. The Applicant must submit a specification to the Hampshire County Council Countryside Service for its approval prior to commencement for the Applicant, at its cost, to deliver works to create the new access road including acceptable accommodation of Kings Worthy Public Footpath 507 and any other Public Footpaths or claimed Public Footpaths that are to cross the access road.

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Reason: in order to ensure the future safe and convenient availability of public access.

21. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/SH/Burnet 001/ Revision A written by Kevin Cloud of Technical Arboriculture Ltd and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

22. The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with AIA/AMS-KC/SH/Burnet 001/ Revision A. Telephone 01962 848403.

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

23. No Arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Appraisal and Method Statement AIA/AMS-KC/SH/Burnet 001/ Revision A.

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

24. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Method Statement AIA/AMS-KC/SH/Burnet 001/ Revision A shall be agreed in writing to the Local Planning Authority.

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

25. 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 protection and long term viability of retained trees and to minimise impact of construction activity.

Informatives:

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

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

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

02. This permission is granted for the following reasons:

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA2, CP2, CP3, CP10, CP11, CP12, CP13, CP14, CP16, CP17 and CP20

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM2, DM15, DM16, DM17 and DM18

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

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

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

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

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

07. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works

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

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

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

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

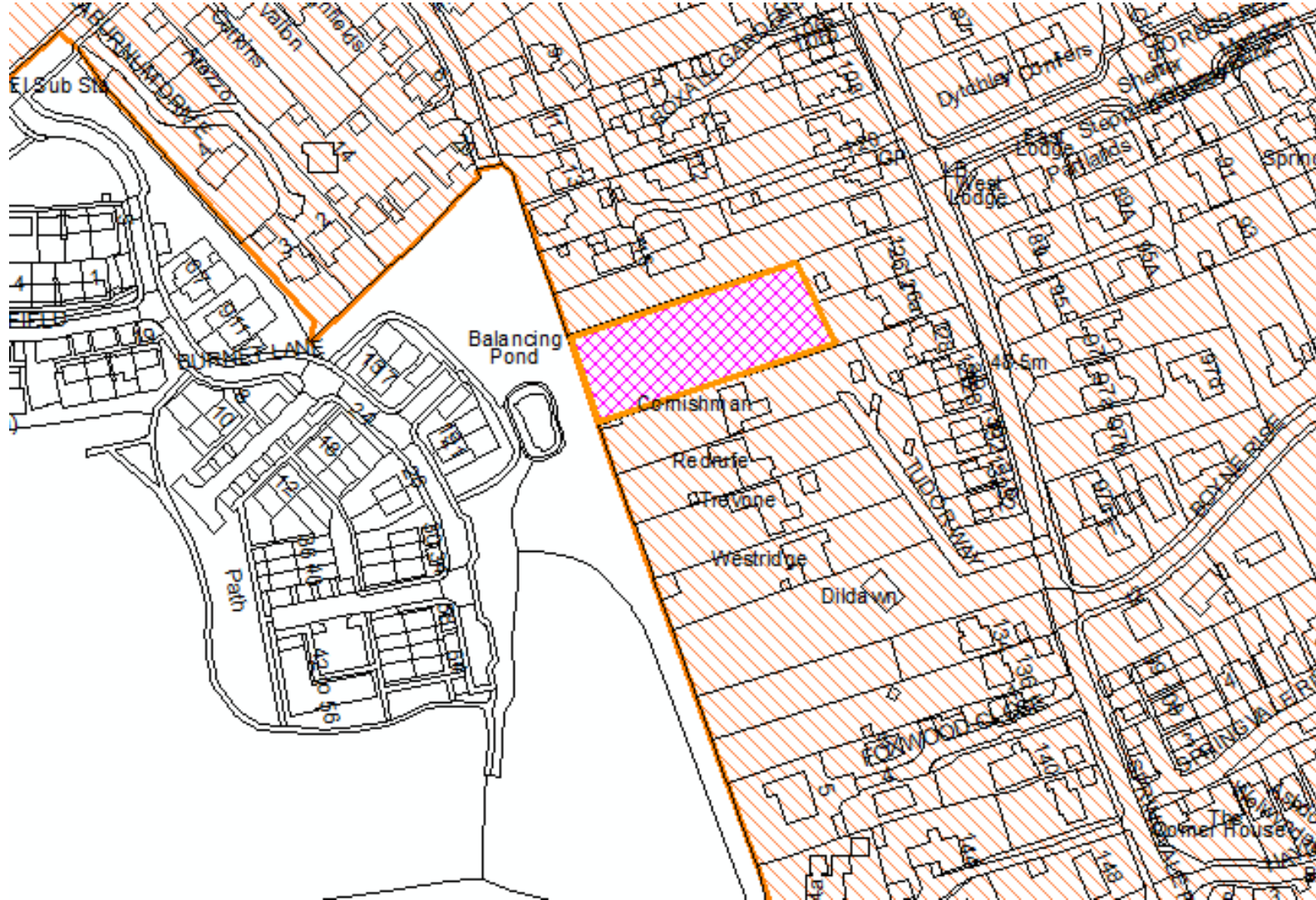
08. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

09. Replacement of trees is enforceable in law and failure to comply with the condition could result in the issue of a tree replacement notice and prosecution if the local planning authority believes that the criteria of the condition has not been met. Trees make an important contribution to the character of the landscape, creating a green environment which we all enjoy. Winchester City Council encourages the planting of new trees to replace any that are felled in order to maintain the positive benefits that trees provide.

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Land To The East Of Burnet Lane Kings
Worthy

Site location plan and settlement boundary



Aerial Photo



Photos



Looking NE from the end of Burnett Lane

View of Springvale Road to the east of the site



Photos



Looking NE from beside 21
Burnett Lane

Page 35



View from the
north looking
towards the site

Proposed site plan



Plots 1 and 2 elevations



NORTH ELEVATION



WEST ELEVATION



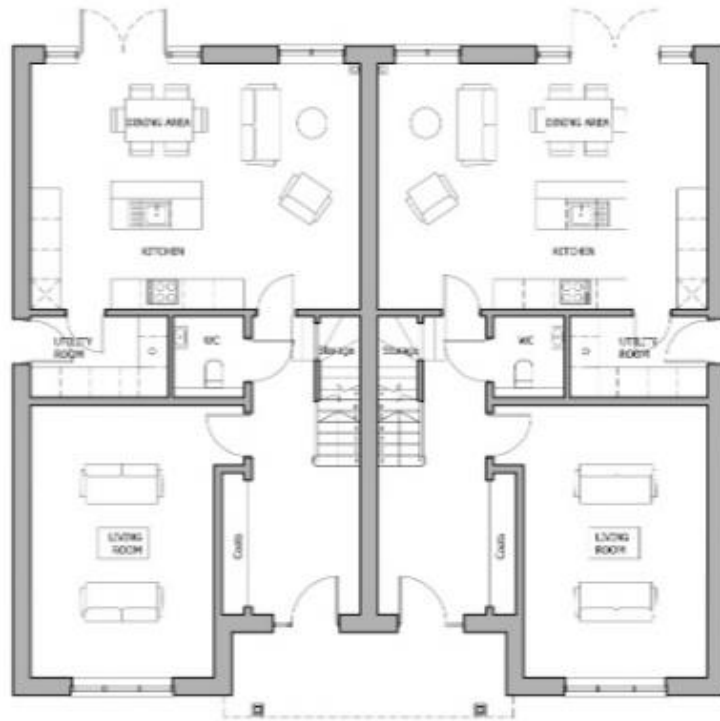
SOUTH ELEVATION



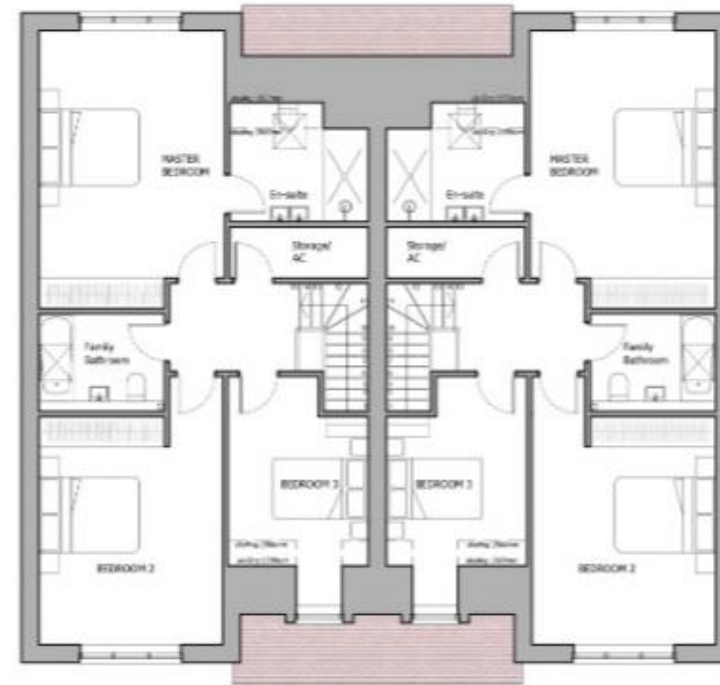
EAST ELEVATION

- D 10.06.23 Plot numbers changed
- C 10.02.22 Area increased
- B 08.02.22 Porch amended

Plots 1 and 2 floor plans



GROUND FLOOR PLAN



FIRST FLOOR PLAN

- D 10.08.23 Plot numbers changed
- C 10.02.22 Area increased
- B 08.02.22 Porch amended. Plots added.

Plot 3 and 4 elevations



NORTH ELEVATION



WEST ELEVATION

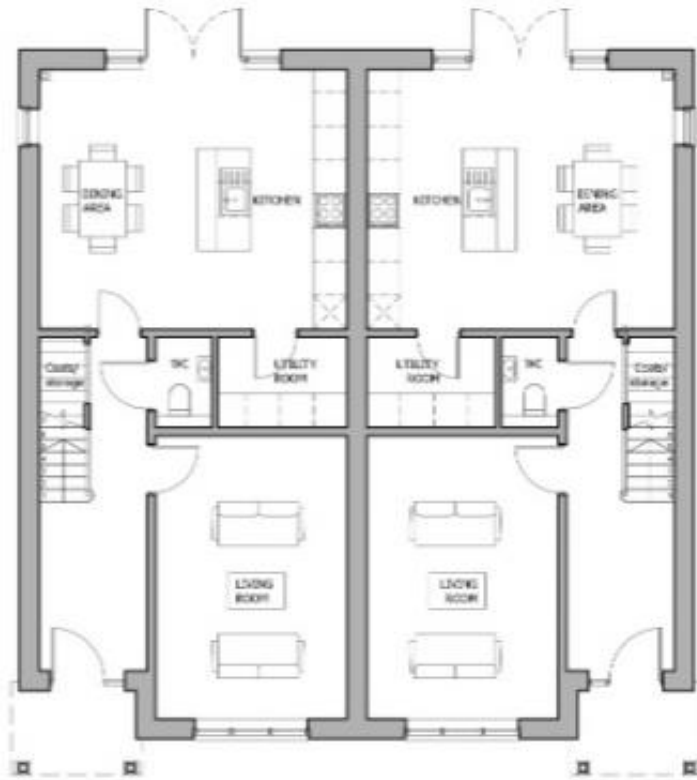


SOUTH ELEVATION



EAST ELEVATION

Plots 3 and 4 floor plans



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Plot 5 elevations



NORTH WEST ELEVATION



NORTH EAST ELEVATION



SOUTH EAST ELEVATION



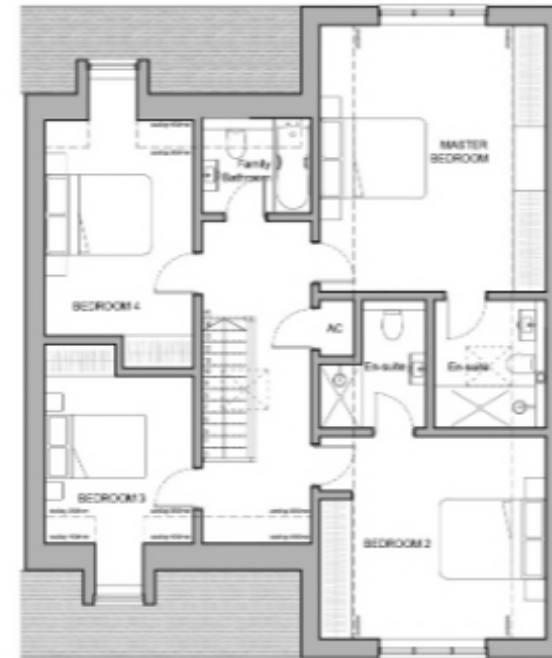
SOUTH WEST ELEVATION

D 10.08.23 Plot number changed, garage now
C 24.03.22 Roof tiles amended
B 08.02.22 General amendments. Plot number
REVISIONS | A 08.12.21 General amendments

Plot 5 floor plans



GROUND FLOOR PLAN

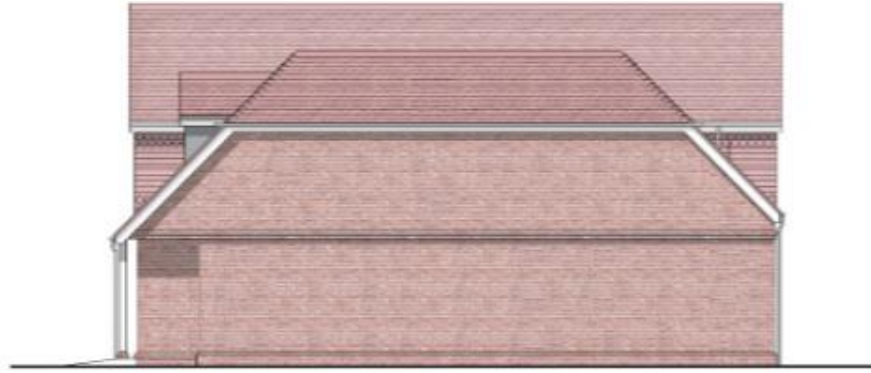


FIRST FLOOR PLAN

Plot 6 elevations



NORTH WEST ELEVATION



SOUTH WEST ELEVATION



SOUTH EAST ELEVATION



NORTH EAST ELEVATION

Plot 6 floor plans



GROUND FLOOR PLAN

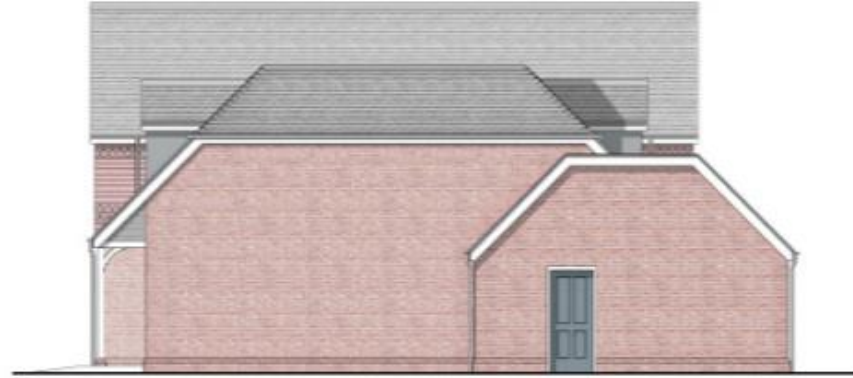


FIRST FLOOR PLAN

Plot 7 elevations



NORTH WEST ELEVATION



SOUTH WEST ELEVATION



SOUTH EAST ELEVATION



NORTH EAST ELEVATION

REVISIONS |

Plot 7 floor plan

FIRST FLOOR PLAN

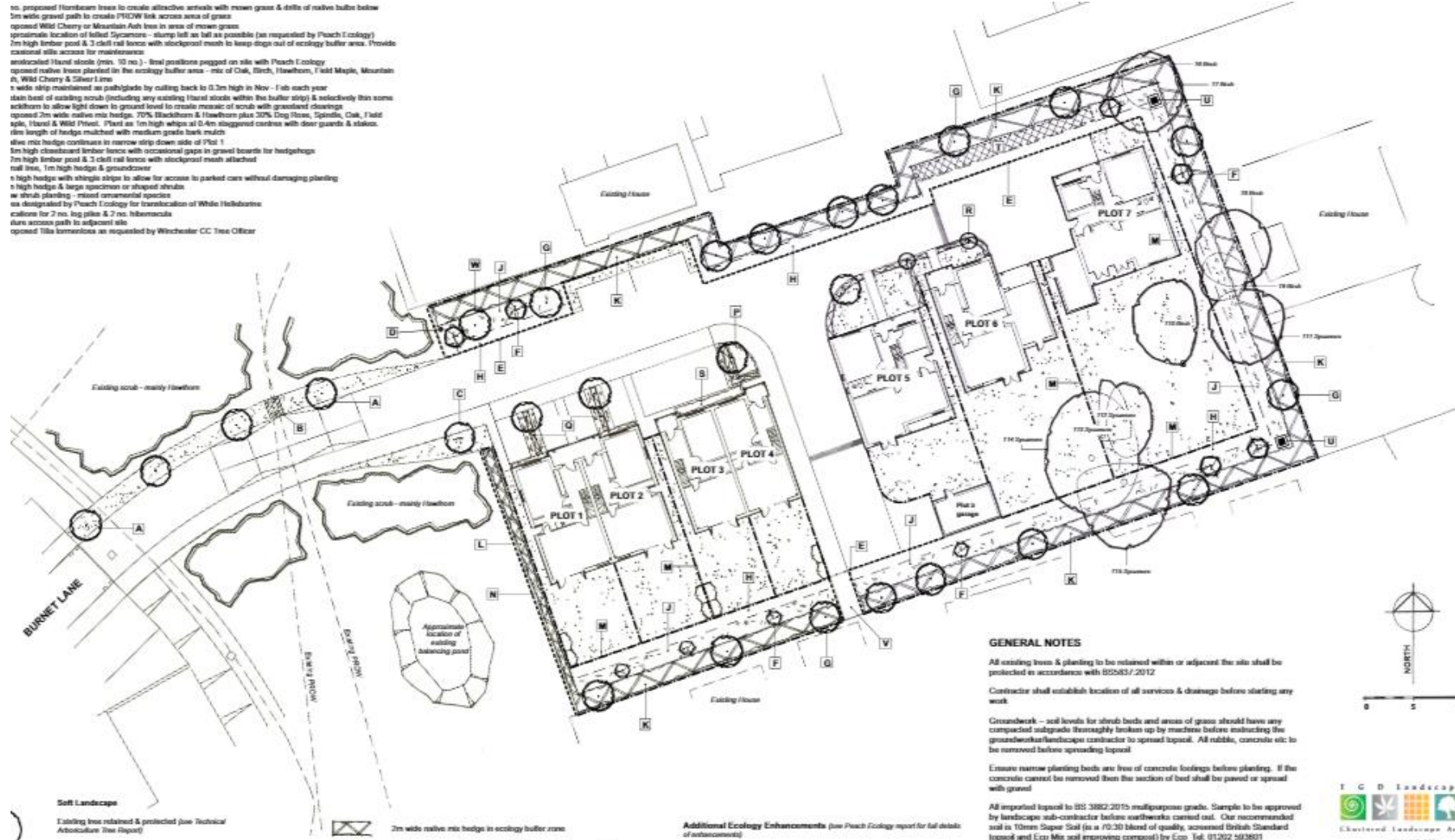


GROUND FLOOR PLAN



Landscape plan

no. proposed Hornbeam trees to create attractive avenue with mown grass & drifts of native bushes below
 5m wide gravel path to create PONDWALK across area of grass
 exposed Wild Cherry or Mountain Ash tree in area of mown grass
 approximate location of felled Sycamores - stump left as tall as possible (as requested by Peach Ecology)
 2m high timber post & 3 chain rail fence with stockproof mesh to keep dogs out of ecology buffer area. Provide
 casual side access for maintenance
 allocated Hornbeam (min. 10 no.) - final positions pegged on site with Peach Ecology
 exposed native trees planted in the ecology buffer area - mix of Oak, Birch, Hawthorn, Field Maple, Mountain
 Ash, Wild Cherry & Silver Birch
 1 wide strip maintained as path/grass by cutting back to 0.2m high in Nov - Feb each year
 stem bed of existing scrub (including any existing Hornbeam) within the buffer strip & selectively thin some
 scoldern to allow light down to ground level to create mosaic of scrub with grassland clearance
 exposed 2m wide native mix hedge. 70% Blackthorn & Hawthorn plus 30% Dog Rose, Spindle, Oak, Field
 Maple, Hornbeam & Wild Privet. Planted as 1m high whips at 0.4m staggered centres with deer guards & stakes.
 15m length of hedge mulched with medium grade bark mulch
 15m mix hedge continues in narrow strip down side of Plot 1
 1m high closeboard timber fence with occasional gaps in gravel boards for hedgehogs
 2m high timber post & 3 chain rail fence with stockproof mesh attached
 rail line, 1m high hedge & groundcover
 1 high hedge with shringle strips to allow for access to parked cars without damaging planting
 1 high hedge & large specimen or shaped shrubs
 1m shrub planting - mixed ornamental species
 as designated by Peach Ecology for translocation of White Heron
 1m scale for 7 no. log piles & 2 no. herbaceous
 1m scale access path to adjacent site
 exposed 11m kerbside as requested by Winchester CC Tree Officer



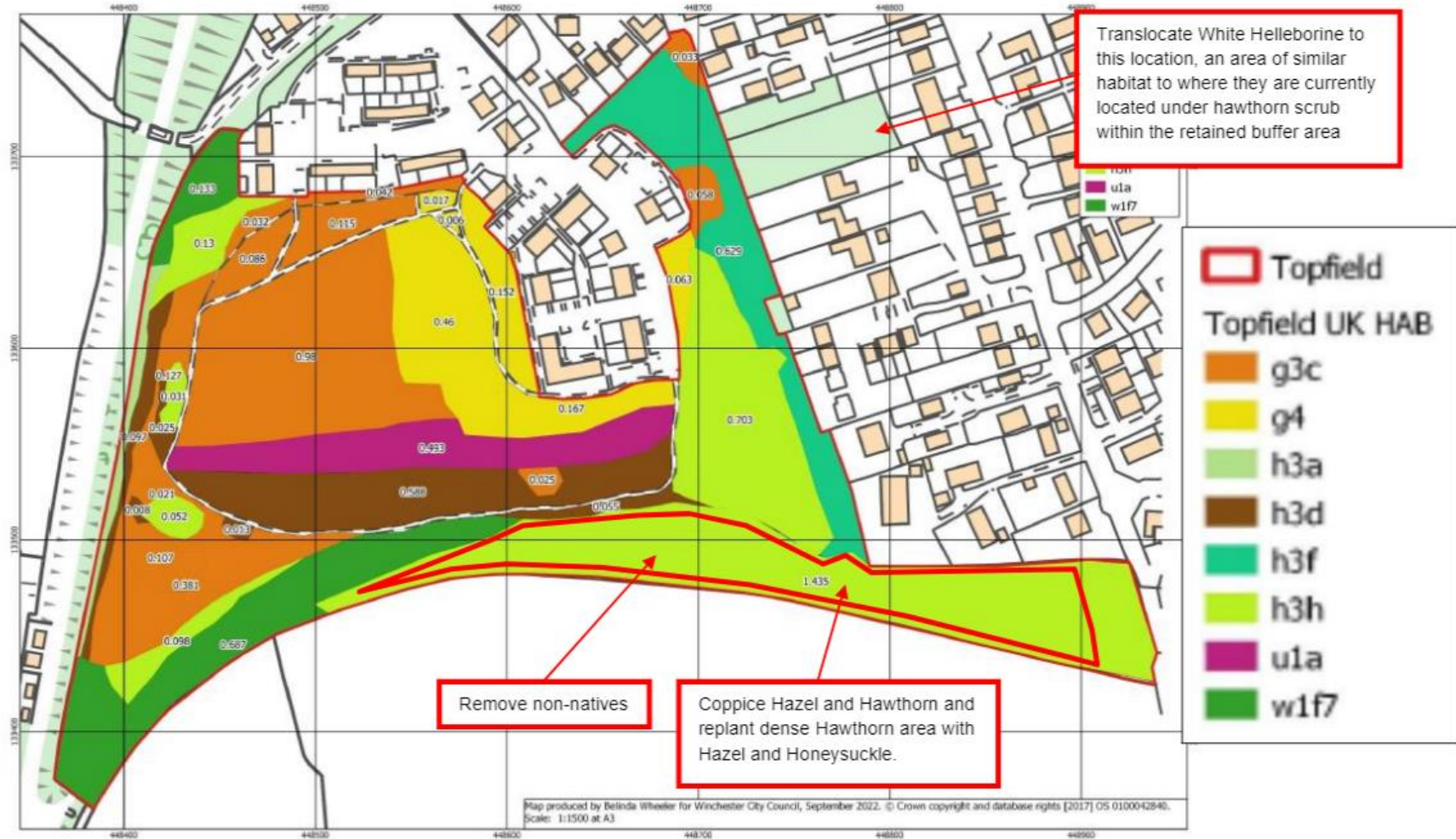
GENERAL NOTES

All existing trees & planting to be retained within or adjacent the site shall be protected in accordance with BS5837:2012
 Contractor shall establish location of all services & drainage before starting any work
 Groundwork - soil levels for shrub beds and areas of grass should have any compacted subgrade thoroughly broken up by machine before extracting the groundwork/landscape contractor to spread topsoil. All rubble, concrete etc. to be removed before spreading topsoil
 Ensure narrow planting beds are free of concrete footings before planting. If the concrete cannot be removed then the section of bed shall be paved or spread with gravel
 All imported topsoil to BS 3882:2015 multipurpose grade. Sample to be approved by landscape sub-contractor before earthworks carried out. Our recommended soil is 10mm Super Soil (is a 10:30 blend of quality, screened British Standard topsoil and Eco Mix soil improving compost) by Eco. Tel: 01202 503801



Ecology plan

Map 7 Top Field vegetation survey 2022: UK HAB with polygon areas calculated in hectares

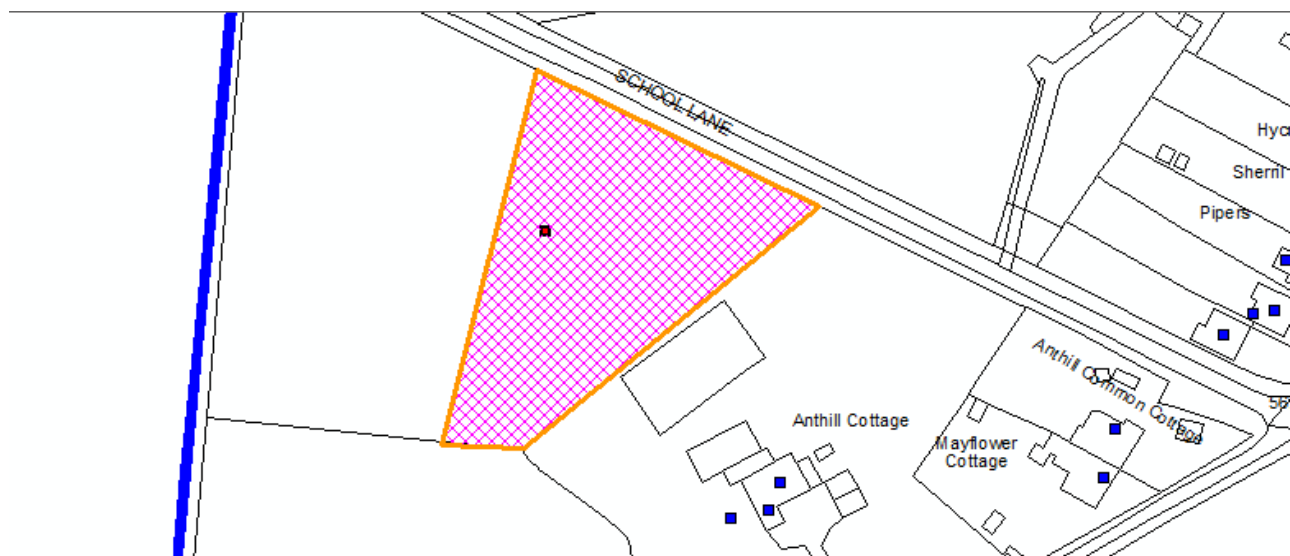


Case No: 23/01908/OUT
Proposal Description: Outline application for the phased development of up to 6 self-build and custom housebuilding plots with all matters reserved except for access
Address: Land South of School Lane, Denmead, Hampshire
Parish: Denmead
Applicants Name: Mr and Mrs Hopkins
Case Officer: Liz Young
Date Valid: 08 August 2023
Recommendation: Refuse
Pre Application Advice: No

Link to Planning Documents

23/01908/OUT/

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The application site is outside of a settlement boundary and the proposed development would conflict with policies in the Development Plan which define the area as countryside. In addition to this, the proposal is contrary to policies DM15, DM16, DM23 and DM24 of the Winchester District Local Plan Part 2 in that the proposal would fail to respond positively to the character of the area resulting in visual and physical harm to the surrounding countryside and would be detrimental to trees and other natural features within and adjacent to the site.

General Comments

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

In terms of background, this application is the resubmission of two previously refused applications under case References 22/00722/OUT and 21/00465/OUT. These previous applications were refused by the planning committee on the 17 August 2022 and 20 of July 2021 respectively. The previous decisions to refuse were not appealed by the applicant.

There were no differences between the previous two schemes, which both sought outline consent for 5 self-build dwellings for Custom/Self Build housing'.

Both predecessor applications were determined under the same development plan. In the case of the most recent decision the main reasons cited in the reason for refusal are summarised as follows:

- Would result in new dwellings in a countryside location with no justification.
- Would fail to respond positively to the character of the area
- Harmful in combination impacts from increased nutrient input into the water environment of the Solent SPA
- Inadequate vehicular access arrangements

6 plots are now proposed as part of this current application and the internal layout / plot sizes have also been adjusted. A parameter plan has also been included and this details a proposed sustainable drainage feature on the front boundary of the site. Additional supporting documentation has also now been included as part of this latest application submission. This includes:

- Statement of Community Involvement
- Self-Build and Custom Housing Assessment
- Alternative Suitable Sites Assessment
- Affordable Housing Statement

The content of these various documents have been considered throughout the report, alongside the Council's latest position in relation to meeting the identified need for custom and self-build housing.

Site Description

This application relates to a triangular parcel of equestrian land of approximately 0.4 hectares. The land slopes upwards away from the north boundary towards areas of higher ground (open fields) which lie to the south. The site is accessed from School Lane (which adjoins the north boundary) by a field gate. The south east boundary of the site is adjoined by Anthill Cottage, a detached property set within a spacious plot. This boundary is enclosed by a number of mature trees which are prominent features in the wider area. The site lies in open countryside, outside the defined settlement boundary of Denmead (which lies approximately 60 metres to the east). The site forms part of the network of fields which make up the wider rural area which wraps around the western extent of Denmead. A public right of way (PROW) lies just over 60 metres to the west of the site and a site of Importance for Nature Conservation (SINC), Hill Barn Meadows lies approximately 20 metres to the north across School Lane. This stretch of School Lane is narrow and of a rural character, enclosed on both sides by hedgerows.

Proposal

Outline planning consent (with all matters reserved except for access) is sought for the phased development of up to six self-build and custom housebuilding plots. Information which accompanies the application states that five of the six plots will initially be exclusively marketed for a period to be agreed with the Council through a Sales and Marketing Strategy to individuals or households that have a local connection through living and/or working in Denmead Parish, or by having close family living in the Parish. The sixth plot is to be occupied by the applicants.

Three of the six plots (50%) are to be provided as Discounted Market Sale serviced plots for affordable homeownership to be sold at a discount of at least 20% below local market value with provision in place to ensure the housing remains at a discount for future eligible households.

An illustrative plot layout along with a parameter plan have been included with the application submission. These show two larger plots, one to the rear and one to the front of the site, four smaller plots on the west boundary and an internal access road running down the centre of the site towards a small area of open space. The plans also indicate a Sustainable Urban Drainage (SuDS) feature adjacent to the front boundary of the site. The existing access is proposed to be re-positioned (and widened) so that it would be approximately half way along the road frontage of the site.

Relevant Planning History

- 22/00722/OUT – Facilitation of Land into Five serviced plots for Custom/Self Build housing – Refused 17.08.2022
- 21/00465/OUT – Outline application for 5 self-build dwellings – Refused 20.07.2021
- 14/00370/LDC – Continued use for equestrian purposes – Permitted 15.04.2014

Consultations

Service Lead – Natural Environment (Trees) – Objection raised on the grounds that the proposal is likely to have a significant impact on the trees on the site and that there has been no tree related information submitted.

Service Lead – Engineering (Drainage) – No objections subject to conditions relating to surface and foul drainage

Service Lead – Natural Environment (Ecology) – No objections subject to conditions

Service Lead – Built Environment (Strategic Planning) –The application site falls outside of the settlement boundary, the proposal would help to meet the need for specific types of housing identified in the custom and self-build register and the Strategic Housing Market Assessment.

Service Lead – New Homes Delivery (Housing Enabling Officer) – The proposed 20% discount market housing would meet the NPPF definition of affordable housing

Hampshire County Council (Highway Authority) – No objections raised

Hampshire County Council (Rights of Way) – Provide general information, with no comments specific to application

Representations:

Denmead Parish Council: wishes to raise a **STRONG OBJECTION** with a request that, should the officer be minded to permit the application, that the application is considered by Winchester City Council's Planning Committee on the following grounds:

- The application is contrary to Policy MTRA4 of the Winchester District Local Plan Part 1 and the Denmead Neighbourhood Plan as it would result in new dwellings in a countryside location with no justification, or operational need identified.
- The application does not meet the criteria of Policies MTRA2 or MTRA3 as the proposal would be outside of the settlement boundary, is not a small infill development along a continuously developed road frontages within settlements that do not have a clearly defined settlement boundary and does not meet a community need. Denmead's settlement boundaries were established in 2017 in the adoption of the Winchester District Local Plan. It is considered that self and custom build are not affordable housing as defined within the Local Plan and are considered market housing. The site is Greenfield land and should not be prioritized over land within settlement boundaries as per the current Denmead Neighbourhood Plan. It should also be noted that Denmead Parish Council is actively supporting self and custom builds through the current revision of its Neighbourhood Plan, where these are in sustainable locations and a local connection test can be applied.
- The application planning statement admits that Policy MTRA4 is not met, but states that it complies with Policy MTRA2 for the reason that there is no suitable alternative site within the settlement boundary. This is factually incorrect and there are several suitable sites available within the settlement boundary (one example being the land at Green Lane which has been accepted as a future development

site, as it does not have a care home on it as stated by the applicants' planning consultant).

- The application is contrary to Policies DM15, DM16 and DM23 of the Winchester District Local Plan Part 2 as the general character of the area is for large dwellings in generous plots.
- The proposed layout and density of the application is akin to development within the settlement boundary rather than a rural development. It would introduce a suburban and incongruous form of domestic development in a rural location which would cause significant and substantial harm to the character and visual amenity of the area. It would also set a precedent for other landowners to apply to develop their land in a similar way.
- There is a public right of way nearby, and it is considered that this application could not be satisfactorily mitigated entirely by planting and would result in a permanent adverse visual impact on the countryside resulting in physical and visual harm to the rural area.
- It was not d that affordable housing should be almost indistinguishable from the surrounding housing; whereas the 3 plots designated for affordable housing on the proposal's layout plan are significantly smaller.
- It was further noted that a Facebook poll does not constitute effective consultation with the local community. Several nearby residents have commented to the effect that they were not consulted in any way.
- The application does not accord with the national government sustainable location policy, which states that new development should be within 15-20 minutes walking distance from amenities. The site is a considerable distance from the village centre along non-pedestrianised lanes at around a 30 minute walk each way for a mobile adult.
- Lastly, it is important to note that the applicants' interpretation of Winchester City Council's self-build numbers is factually incorrect. Denmead is not in a position to allocate a self-build site until the Denmead Neighbourhood Plan is updated, and only then if the Winchester Local Plan is amended from its current policy of no development on greenfield land until at least 2031.

Representation from the agent for the application in response to the Parish Council concerns making the following points (summarised):

- Proposals are considered to be compliant with the relevant components of the Development Plan when taken as a whole
- Although the proposals are located outside the settlement boundary, there are no other suitable alternative sites available
- Proposal clearly needed to address the substantial shortfall in delivery of serviced plots for self-build and custom housebuilding in the district
- Policy MTRA3 is not relevant
- The wording of MTRA2 does not require that development outside settlement boundaries also be compliant with MTRA4, it merely requires there to be a demonstrable need or community need. Any conflict with MTRA2 and MTRA4 would be outweighed by the substantial weight that must be attributed to the provision of six serviced plots for self-build and custom housebuilding
- Paragraph 11(d) of the NPPF makes clear that the presumption in favour of sustainable

development applies where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date (reference made to appeal decision on another site)

- The Parish Council do not acknowledge the unmet need for custom and self-build housing
- The NPPF includes Discounted Market Sale affordable homeownership In its definition of affordable housing
- The proposals will respect the qualities, features and characteristics that contribute to the distinctiveness of the local area
- The two previously refused schemes did not raise any specific concerns in relation to impacts on the Public ROW
- The proposed Design Code will ensure a high quality development.
- It is relevant to consider the extent of membership across the five Facebook groups in which the application proposals were publicised which shows the scale of the consultation exercise undertaken in terms of the number of local people reached.
- The Parish Council themselves have utilised Facebook groups as a means of promoting elements of the evidence base to their emerging Plan.:The Suitable Alternative Site Assessment demonstrates there are no suitable available sites within the Denmead settlement boundary
- There is no objection on sustainability grounds, or any other grounds for that matter, from County Highways
- The site location in sustainability terms is no worse than the majority of the housing that already exists in the Anthill Common Area of Denmead

21 representations received (from different addresses) supporting the proposal on the following grounds:

- The application site is well related to existing development
- The site is close to local amenities
- Proposal would not amount to overdevelopment
- Proposal would assist with meeting housing targets, especially in the self-build sector
- Proposal would diversify housing provision and contribute to self-build opportunities

84 representations received from 83 addresses objecting to the proposal on the following grounds:

- Inappropriate location in open countryside contrary to Policy MTRA4
- Would set an unwanted precedent for other residential development in open countryside
- There are other sites allocated for development within the settlement boundary
- Would be harmful to the character of a quiet rural lane and also local character and distinctiveness in general
- Proposal lies in a highly sensitive landscape
- Proposed vehicle movements resulting from the proposal have been understated
- The proposed units would not be genuinely affordable for the majority of local residents
- Unsafe access for vulnerable road users
- Proposed measures to encourage cycling unlikely to be effective

- The site is not sufficiently close to the village centre and its location would not discourage travel by private car
- The applicant has previously been advised than any more than 3 dwellings on the site would be harmful to the character of the area
- Significant size difference between the affordable and open market plots
- Overall the plots are too small
- Self-build is not a necessity and there are plenty of existing houses available in the area as well as build plots
- The existing sewage main is already over capacity
- The proposal does not have the support of the local community
- School Lane is not designed to accommodate two way traffic
- Increased traffic will impact upon highway safety and recreational users along School Lane
- The need for custom and self-build housing is overstated
- 6 units would amount to overdevelopment of the site and is an increase from the previously refused schemes
- Impacts from construction traffic on roadside verges and ecology
- The site is not well served by public transport
- Inadequate drainage provision
- Brownfield sites should be prioritised for development
- Other appeal decisions referred to are not comparable to the site of the current proposal
- Proposal would put a strain on local services / infrastructure
- Harmful impact on trees and ecology
- Harmful impacts arising from increased nutrient inputs to the Solent European sites
- The proposal would have an urban layout which does not reflect the pattern of development in the area.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (2023):

Chapter 2 – Achieving Sustainable Development
 Chapter 5 – Delivering a Sufficient Supply of Sustainable Homes
 Chapter 9 – Promoting Sustainable Transport
 Chapter 12 – Achieving Well-designed and Beautiful spaces
 Chapter 15 – Conserving and Enhancing the Natural Environment

Planning Practice Guidance:

Self-Build and Custom Housebuilding (February 2021)

Winchester Local Plan Part 1 – Joint Core Strategy (2013) (LPP1):

Policy DS1 – Development Strategy and Principles
 Policy MTRA1 – Development Strategy Market Towns and Rural Areas
 Policy MTRA2 – Market Towns and Larger Villages
 Policy MTRA3 – Other Settlements in the Market Towns and Rural Area
 Policy MTRA4 – Development in the Countryside

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Policy CP1 – Housing Provision
Policy CP2 – Housing Provision and Mix
Policy CP4 – Affordable Housing on Exception Sites to Meet Local Needs
Policy CP10 – Transport
Policy CP11 – Sustainable Low and Zero Carbon Built Development
Policy CP13 – High Quality Design
Policy CP14 – The Effective Use of Land
Policy CP15 – Green Infrastructure
Policy CP16 - Biodiversity
Policy CP20 – Heritage and Landscape Character

Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017) (LPP2):

Policy DM1 – Location of new development
Policy DM2 – Dwelling Sizes
Policy DM15 – Local Distinctiveness
Policy DM16 – Site Design Criteria
Policy DM17 – Site Development Principles
Policy DM18 – Access and Parking
Policy DM23 – Rural Character
Policy DM24 - Special Trees, Important Hedgerows and Ancient Woodlands

Denmead Neighbourhood Plan 2011 – 2031 (made 2015)

Policy 1 (A Spatial Plan for the Parish)
Policy 2 (Housing Site Allocations)
Policy 3 (Housing Design)

Supplementary Planning Documents

National Design Guide (2019)
High Quality Places (2015)
Residential Parking Standards (2009)
Denmead Village Design Statement (2016)
Affordable Housing SPD (2008)

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2023) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. LPP1 Policy DS1 is consistent with the NPPF which states in paragraph 11 that decisions should apply a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

The proposal would involve the introduction of 6 new dwellings outside the settlement boundary of Denmead. LPP1 Policy MTRA2 allows for development within settlement boundaries of the Market Towns identified within the policy, of which Denmead is one.

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Because the proposal would be outside of the settlement boundary it is not considered that the proposal would meet the criteria of this policy. Countryside policies would therefore apply.

Policy 1 of the made Denmead Neighbourhood Plan states that development proposals outside of the Denmead Settlement Policy Boundary will be required to conform to development plan policies in respect of the control of development in the countryside.

Specifically, LPP1 Policy MTRA4 seeks to limit development to that which has an operational need for a countryside location, re-use of buildings, expansion of existing businesses and low-key tourism development. The proposal to introduce 6 dwellings on the site would not meet these criteria and would therefore be contrary to the requirements of this policy.

Having regard to this identified policy conflict it would be necessary to have regard to other material planning considerations (including the case being put forward by the applicant).

The most recent assessment of housing land supply is set out in the 2022 Authority Monitoring Report. That document states that as of 31 March 2022 the Council can demonstrate 6.1 years supply of housing land, with an anticipated 5.6 years supply as at 31 March 2023.

The applicant in this instance makes the case that notwithstanding the policies outlined above and the fact that WCC can demonstrate a 6.1 year supply of housing land, there is an identified overriding need to develop the site to provide self-build plots. This is the same argument put forward in the case of the previous submissions. The main points put forward by the applicant in this latest submission are summarised as follows:

- There are no other potentially suitable sites for 6 self-build plots within the village
- There is a shortfall of 311 plots within Winchester District
- The Council must now consent a further 65 plots by October 2023 to meet demand arising from within base period 5
- 50% of the homes are to be delivered as Discounted Market Sale
- The 2020 Strategic Housing Market Assessment acknowledges the need to provide 123 affordable homes per annum between 2019 and 2036 (including discounted market sale housing)
- Pre-application engagement with the local community has established a clear need for the development.
- There is no requirement for the development to demonstrate accordance with LPP1 Policy MTRA 4 as this is not stipulated by LPP1 Policy MTRA2
- The proposal would contribute towards the District Council/s housing targets over the plan period
- The site is within walking distance of local amenities

As identified at the time of the predecessor applications, self and custom build are not affordable housing as defined within the local plan and therefore would need to comply with general policies specific to open market housing. Notwithstanding this, it is acknowledged that self and custom build is a growing area of development that central government is keen to expand. As such it is expected that a policy for self and custom build will be incorporated within the forthcoming Local Plan.

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It is acknowledged that three plots are to be provided as Discounted Market Sale serviced plots at a discount of at least 20% below local market values and that the NPPF includes discount market sales homes within the definition affordable housing. Policy CP4 of the adopted Plan allows by exception the provision of affordable housing to meet the specific local needs of particular settlements, on land where housing development would not normally be permitted. However, it is considered that the inclusion of 50% of the homes for sale at a discount does not meet the criteria required by this policy. Specifically, in this case it has not been demonstrated that the proposal has community support, or that it would meet community aspirations identified through a Neighbourhood Plan. Furthermore, none of the proposed homes would be made available for rent which is at odds with the policy requirement for providing no less than 70% of homes to meet priority local affordable housing needs. Additionally (as set out in detail further below in this report and as identified in predecessor applications), the scheme is not of a design and character appropriate to its location and does not avoid harm to the character of the area or to other planning objectives (including ecology and trees).

In considering the points put forward by the applicant in relation to custom and self-build plots, there is no requirement for the council to have a policy in respect of self and custom build, although a % policy is being proposed in the emerging Local Plan which would require sites in excess of 50 dwellings to provide 6% as serviced plots, this is consistent with the evidence base (the Strategic Housing Market Assessment). LPP1

Policy CP2 promotes the provision of a range of types of housing, which can include self-build, and so has a relevant policy which applies to proposals that satisfy planning policies for residential development (i.e., which do not provide for housing outside settlement boundaries other than agricultural workers accommodation, the conversion of existing buildings in certain circumstances, or 'exception sites' for affordable housing).

Notwithstanding the fact that WCC is considered to have an up to date Development Plan, the position in relation to self-build provision is capable of being a material consideration.

The council maintains a self and custom build register which covers the part of the Winchester District that falls outside of the South Downs National Park (SDNP). As of 30 October 2023, 407 individuals had registered an interest on the register since it was launched on 1 April 2016. The Council has an obligation to permit sufficient dwellings to meet the level of need within three years of being recorded. By 30 October 2020, 272 individuals had recorded an interest, and the total delivery by 30 October was 202 dwellings. Therefore, as of 30 October 2023 there was a shortfall of 70 dwellings against the need recorded in the register up to 2020. National planning practice guidance states that the registers that relate to the area of a local planning authority and the duty to have regard to them are likely to be a material consideration in decisions involving proposals for self and custom housebuilding.

In conclusion, while the application site falls outside of the settlement boundary, the proposal would help to meet the need for specific types of housing identified in the custom and self-build register and the Strategic Housing Market Assessment. It would therefore be necessary to have regard to the benefits of the proposal in terms of delivering custom and self-build plots whilst also considering the extent to which the development would meet any relevant policies within the Development Plan (and any other relevant material planning considerations). As this decision is required to take account of all relevant planning matters, a conclusion on this matter is reached at the end of this report.

Impact on character and appearance of area

Planning policy acknowledges that when considering the impacts of development in rural areas it is necessary to have regard to both visual impacts alongside wider impacts upon tranquillity (such as noise and light pollution). These factors are recognised (by LPP2 policy DM23 in particular) as essential components of rural character. As highlighted in the supporting text to LPP2 Policy DM23, the introduction of urban elements, such as significant areas of hard landscaping can detract from the special qualities of the countryside. This policy also highlights that noise and lighting pollution may be more noticeable in rural areas due to the relative tranquillity of the surroundings. It states that the cumulative impact of developments will be considered, including any ancillary or minor development that may occur as a result of the main proposal.

LPP1 Policy MTRA4 is also relevant in that it seeks to ensure proposals which are not located within defined settlements should not cause harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise/light and traffic generation.

The Winchester Landscape Character Assessment (LCA) places the application site within the Forest of Bere Lowland Character Area which it describes as an undulating landscape with a '*distinctive pattern of small irregular fields*' (recognised as being of historical interest). The landscape type assigned to the site and its immediate surroundings is open farmland and woodland. The document states that the narrow hedged roads give a remote and enclosed feel to much of the area and the various landscape strategies listed include the need to ensure proposals retain the rural character of these roads. The Denmead Village Design Statement describes the area west of Denmead as consisting of '*attractive mixed countryside with field, hedges and trees*'.

The undeveloped nature of the application site along with its hedged roadside boundary to School Lane is reflective of these characteristics. It is therefore closely associated with the network of fields and woodland to the south and west as opposed to the built-up residential area of Denmead to the east. The residential properties which lie immediately east and further to the south also contribute to this rural character on account of their set back from the highway, their dispersed nature and spacious plots. As such they contribute positively to the gradual transition between the built up area of Denmead and the open countryside. The proposal to introduce 6 residential properties on the application site would be at odds with these characteristics as it would fail to reflect the dispersed pattern of development which prevails in the immediate locality and would significantly alter the balance between built development and open countryside. The submitted Design and Access Statement fails to provide any specific analysis of the established pattern and grain of development in the immediate locality and the degree of encroachment of built development southwards into the site would also fail to reflect the established pattern of development identified within the Denmead VDS which references the WW2 ribbon development along School Lane. Properties in the immediate locality front directly onto the highway and the proposal would be at odds with this typical layout. The proposal would therefore be contrary to guidance contained within the High Quality Places SPD which seeks to ensure the development is well integrated with and complements the neighbouring buildings and local area in terms of scale, density and layout.

The impact of the proposal would be further exacerbated by the intention to now introduce an additional unit in comparison to that of the scheme previously refused in 2022 (22/00722/OUT) which was also concluded to be unacceptably harmful to the character of

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the area despite proposing more robust planting along the north west boundary of the site than the landscaping arrangements now proposed.

Importantly, LPP2 Policy DM23 recognises the scope for traffic intrusion to adversely affect the character of the area due to numbers of trips. The supporting text to this policy states that the suitability as well as the capacity of rural lanes should also be considered, as physical re-modelling of rural roads along with, visibility splays and entrances necessary for the development may have an unacceptable impact on the landscape and rural character. It also states that rural lanes are a particular characteristic of the District that have historic as well as landscape significance.

Having regard to this it is considered that both the increased physical presence of built development of the scale proposed and the associated increase in domestic activity (particularly vehicle movements and impacts from external lighting) would significantly undermine the sense of seclusion experienced along School Lane and from adjacent public rights of way. The proposal to widen the access (as indicated within the submitted Transport Assessment) would further exacerbate the impact of the development as a result of the reduced sense of enclosure and the increased prominence of built development within the site.

Overall, it is concluded that the siting, scale and layout of development proposed would introduce a harmful level of visual intrusion and loss of tranquillity to the rural landscape contrary to the requirements of LP2 Policy DM23 which seeks to ensure intrusion would be minimised, and that proposal have regard to the effect on the setting of settlements. As a result, the proposal would therefore create a more urbanised feel to the settlement edge of Denmead which would be at odds with the pattern of development in the immediate locality. This would also be contrary to the requirements of LPP2 Policies DM15, DM16 and DM23 which require proposals to respond positively to the character, appearance and variety of the local environment, within and surrounding the site, in terms of its design, scale and layout.

Development affecting the South Downs National Park

The application site is located just under 900 metres south of the South Downs National Park boundary.

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) updated 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 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.

Due to the nature of surrounding topography and the presence of intervening vegetation there would be no intervisibility between the development and the National Park designation. Additionally due to the scale of development proposed the proposal would not lead to increased levels of vehicular activity or recreational pressure with the potential to impact adversely upon the national park.

In conclusion therefore the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

The proposed development does not affect nor is it near to a statutory listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting. Therefore, no impact is demonstrated.

Neighbouring amenity

Based upon the proposed site layout plan which accompanies the application, there would be a minimum distance of 10 metres between the proposed dwellings and the boundary with Anthill Cottage (the only residential property which adjoins the site) to the southeast. Having regard to this and the boundary screening which exists on this boundary the proposal would not give rise to an unacceptably harmful impact upon the amenities of neighbouring residents subject to ensuring an acceptable detailed design to the scheme.

Sustainable Transport

Paragraph 109 of the NPPF states that the planning system should actively manage patterns of growth and that development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

The application site lies approximately 1.5 km from the village centre but is situated immediately adjacent to the settlement boundary of Denmead. The site is not linked to the village centre by pavements and the section of School Lane which runs past the site is not street lit, the lane also narrows once it leaves the built-up area of Denmead to reflect the rural surroundings. Notwithstanding this, the site lies within walking distance of the village centre and the issue of the sustainability of the application site was not raised as a specific concern whilst the previous application was under consideration. The applicant states that in order to assist with encouraging the use of non-car modes of travel, the applicant proposes in the draft Heads of Terms that each plot purchaser is provided with a Travel Pack which includes a bicycle voucher of equivalent value for every resident of the completed dwellings to encourage sustainable travel.

With regards to highway safety considerations, the application site lies just to the west of a 30-mph zone. The posted speed limit at the point of the proposed site access is subject to the National Speed Limit. The application has been accompanied by a Transport Assessment (TA) and Hampshire County Council (the Highways Authority) have been consulted in relation to the proposal.

The existing vehicular access to the site is proposed to be repositioned from its current location so that it would be approximately mid-way along the roadside boundary.

It is acknowledged that a number of third party concerns have been raised in relation to impacts upon highway safety and also that the previous application (reference 22/00722/OUT) was turned down due to concerns over inadequate visibility. The previous concerns related primarily to the fact that the full extent of the splays were not shown on the submitted plans. In the case of this earlier proposal the access was to be retained in its current location.

The submitted TA sets out that, utilising a 2.4m X distance, a Y distance splay in excess of 157.0m can be achieved to the south east which is stated to be the more critical direction. This equates to a vehicle speed of some 52mph. Having regards to typical speeds along this part of School Lane, the Highway Authority have confirmed that they are satisfied with the visibility proposed on the access. They state that the level of visibility proposed would be very close to being in line with the relevant Hampshire County Council Technical Guidance Note.

With regards to vehicular activity, the TA states that the development would generate around 3 vehicular traffic movements in each of the peak periods and some 29 traffic movements over a 12-hour day. Both third parties and the Highways Authority raise concern that the overall trip rate resulting from the development has been underestimated.

However, it is considered that having regard to the number of units proposed and the fact that no highway objections were raised previously in relation to this issue (in the case of the proposal for 5 units), the likely overall trip rate which would be generated by the development is unlikely to be significantly greater than that stated in the applicant's assessment.

With regards to parking provision the overall number of bedrooms per unit have not been specified and it would therefore not be possible to establish the overall parking requirement for proposed development. However, the plans submitted indicate that there would be space within the site to accommodate the required level of provision set out within the Parking Standards SPD.

Paragraph 115 of the NPPF recognises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

In this case, it is concluded that notwithstanding the impacts increased traffic and the provision of a wider access would have upon the rural character of the area, the development would allow for access to, and movement within, the site in a safe and effective manner as required by LPP2 Policy DM18. As such the proposal would not give rise to any significant adverse impacts on Highways Safety.

Ecology and Biodiversity

With regards to local ecological interests, the application site does not lie within or adjacent to any statutory nature conservation sites. The application has been accompanied by an ecology survey and the WCC Ecologist is satisfied that subject to appropriate conditions the development could reasonable avoid adverse impact upon local biodiversity.

With regards to the water environment, the proposed development is within Winchester District where foul water is distributed into the European designated areas Solent SPAs/Ramsar sites via water treatment plants. In accordance with advice from Natural England and as detailed in Policy CP16 of the Winchester City Council Local Plan Part 1 Joint Core Strategy a net increase in housing development (overnight accommodation) within Winchester District is likely to result in impacts to the integrity of those sites through a consequent increase in Nitrates.

The application was originally accompanied by two alternative nutrient budgets, a foul drainage assessment and a nitrogen budget note. One nutrient budget indicated that the proposal would be served by a package treatment plant (PTP), resulting in a total annual nitrogen load to mitigate of 5.41kg/TN per year. The second nutrient budget indicated that the proposal would be connected to the mains sewer, resulting in a total annual nitrogen load to mitigate of 7.71kg/TN per year. Whilst the nutrient budget report made reference to both options, the foul drainage report stated that the intention is to connect to the mains sewer.

Whilst the site has not been previously developed and is effectively classed as agricultural land both budgets described the use of the existing site as 'open urban land'. This did not appear to accurately reflect the existing land use.

Having regard to the above, there was concern over insufficient information submitted in respect of nutrient impacts associated with the proposal (and also the absence of any formal confirmation that the applicant would be willing to provide the appropriate level of mitigation in relation to additional nutrient impacts resulting from the development). As such it would not have been possible (based upon the information accompanying the original application submission) to rule out harmful in combination impacts upon the water environment of the Solent sites in the case of either option.

To address this concern, the agent submitted a revised nutrient budget and updated nutrient note (email dated 27 December). The revised calculator uses lowland grazing as the existing land use and it has been confirmed that the intention would now be to connect to the mains sewer.

The revised budget indicates that the development will result in a total annual nitrogen load to mitigate of 5.56kg /TN per year

The applicant has also confirmed that in the event that a favourable recommendation were to be made they would be willing to accept a Grampian condition to address additional nitrate impacts resulting from the development.

This mitigation would (in the event that consent were to be forthcoming) would ensure the development would meet the requirements of LPP1 Policy CP16, paragraph 186 of the

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NPPF and the requirements of the Conservation of Habitats and Species Regulations (2017 as amended).

Trees

A significant proportion of the application site is enclosed by trees and hedgerows (including the roadside boundary). Alongside the contribution these features make to the intrinsic character and distinctiveness of the site and the locality, they are of notable value to public amenity, particularly views from School Lane.

Paragraph 180 of the NPPF states that proposals should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including trees and woodland. LPP2 Policy DM23 reflects these requirements and states that proposals should protect and enhance the key characteristics of the landscape and should avoid the loss of key features. With regards to trees and woodland in particular Policy DM15 states that proposals should conserve or enhance trees, hedgerows and corridors which contribute to local distinctiveness. Similarly, Policy DM24 states that development should not result in the loss or deterioration of important hedgerows or special trees and the space required to support them in the long term. The supporting text to this policy states that ‘special trees can include notable trees in their local environment (for example because they are large by comparison with other trees around them).

As identified by the Tree Officer, there is a notable oak tree of 1.4m in diameter on the south east boundary of the site. The application has not been accompanied by any form of arboricultural assessment. Whilst no specific concerns were raised in respect of trees at the time of the previous application, the current scheme proposes an amended layout with a greater number of units. It is also evident that the access road into the site and also the drainage runs proposed would encroach within the root protection area of the tree. The development is therefore likely to lead to damage to the tree which would in turn impact upon its health and scope for retention in the longer term, contrary to the requirements of Policies DM15 and DM24.

The proposal would also necessitate the removal of a significant amount of hedgerow (in excess of 20 metres) at the site entrance to provide adequate visibility around the access). This hedgerow currently provides a very strong sense of enclosure to the site and makes a positive contribution towards the rural character along School Lane and the loss of this would significantly undermine these characteristics in addition to opening up views towards the proposed development and increasing its overall prominence and impact. Overall, it is considered that the proposal would fail to safeguard the natural features and key characteristics within and adjacent to the site and would therefore be contrary to LPP2 Policies DM15, DM23 and DM24.

Sustainable Drainage

Policy 2 of the Denmead Neighbourhood Plan states planning applications must be accompanied by a Drainage Strategy. The application in this case has been accompanied by a Sustainable Urban Drainage System (SuDS) Strategy and Foul Drainage Assessment.

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With regards to surface water drainage, the application site does not lie within or adjacent to a Flood Zone 2 or 3. The proposed development seeks to incorporate Sustainable Urban Drainage Systems (SuDS) into the development design and the WCC is supportive of this in principle subject to infiltration rates being verified. The Drainage Officer is satisfied that the proposal would not give rise to any harmful drainage impacts subject to appropriate conditions being imposed.

Equality

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

Planning Balance and Conclusion

The proposed development would conflict with policies in the Development Plan which defines the area as countryside. These policies resist built development other than for necessary rural activities and do not make an exception for self-build residential development (unless it would comply with policy CP4 as an affordable housing exception scheme). As identified above, the Council can demonstrate a five year housing land supply, and there is no shortfall of housing land to be rectified.

The applicant makes the case that because the Council has no adopted policy to address self-build and custom housebuilding and has an identified unmet need for both self-build and custom housebuilding plots, the tilted balance would be engaged.

Paragraph 11(d) of the NPPF states:

“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

It is considered that the existing adopted plan policies provide an appropriate framework for determining applications for self and custom build housing. In particular, adopted Policy CP2 states ‘*development should meet a range of community housing needs and deliver a wide choice of homes*’, and other policies provide a basis for considering the benefits and impacts of all housing proposals including custom and self-build proposals. This approach is continued in the emerging plan, with the addition of emerging Plan policy H7 which seeks the inclusion of self and custom build housing on larger development sites – but does not set out specific criteria for self and custom build housing. Therefore, it is not considered that a tilted balance assessment is required and paragraph 11d is not

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engaged. However, it is valuable to acknowledge that the proposal would not meet the requirements of paragraph 11d in any event and an assessment is made below which demonstrates that adverse harm is caused.

As identified above in this report, a further consideration is that the proposal would fundamentally alter the intrinsic character of the site from open grazing land to a residential cul de sac which is not reflective of the dispersed pattern of development on the settlement edge. This would significantly alter the established balance between open countryside. The proposal fails to draw a distinction between the built up area of the village and the surrounding countryside. Having regard to these impacts, along with the harmful impacts upon trees and hedgerows on the site boundaries and the fact that the proposal would undermine the adopted policies within the Development Plan without appropriate justification, the level of harm would significantly and demonstrably outweigh any benefits associated with the introduction of additional custom and self-build plots contrary to the provisions contained within Paragraph 11(d)ii of the NPPF.

Whilst the provision of Discounted Market Sale properties is acknowledged, this does not meet the requirements of policy CP4 (for the reasons set out earlier in this report) and does not outweigh the material planning harm identified.

Whilst the benefits of the proposal in terms of delivering 6 custom and self-build plots are acknowledged this benefit would not in this instance outweigh the harmful impacts identified in relation to the significant conflict with the development strategy contained within the Local Development Plan and the character of the area.

It is therefore recommended that planning permission should be refused.

Recommendation

Refuse for the following reasons:

1. Having regard to the harmful impacts of the development, the provision of self-build plots and Discounted Market Housing is in this case not considered to be suitable justification for additional residential units in a countryside location.

Therefore, the proposal (which lies outside the settlement boundary of Denmead) is contrary to policy MTRA4 of the Winchester District Local Plan Part 1 (2013), Policy DM1 of the Winchester District Local Plan Part 2 (2017) and the Denmead Neighbourhood Plan as it would result in new dwellings in a countryside location, giving rise to significant harm to its character with inadequate justification.

2. The proposal is contrary to policies DM15, DM16 and DM23 of the Winchester District Local Plan Part 2 (2017) along with the High Quality Places SPD (2015) in that it fails to respond positively to the character of the area by virtue of its location, scale, suburban form and layout, and would not conserve the established hedgerows along the site boundary, resulting in visual and physical harm to the surrounding countryside.

3. The siting and layout of the proposal is such that it would give rise to unacceptably harmful impacts upon a prominent oak tree on the south east boundary of the site. This tree is recognised as being of significant value to public amenity and the proposed development would therefore be contrary to Policy DM24 of the Winchester District Local Plan Part 2 (2017).

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Informatives:

1. In accordance with paragraph 39 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

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

:

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

Winchester Local Plan Part 1 – Joint Core Strategy (2013) (LPP1):

Policy DS1 – Development Strategy and Principles
Policy MTRA1 – Development Strategy Market Towns and Rural Areas
Policy MTRA2 – Market Towns and Larger Villages
Policy MTRA3 – Other Settlements in the Market Towns and Rural Area
Policy MTRA4 – Development in the Countryside
Policy CP1 – Housing Provision
Policy CP2 – Housing Provision and Mix
Policy CP4 – Affordable Housing on Exception Sites to Meet Local Needs
Policy CP10 – Transport
Policy CP11 – Sustainable Low and Zero Carbon Built Development
Policy CP13 – High Quality Design
Policy CP14 – The Effective Use of Land
Policy CP15 – Green Infrastructure
Policy CP16 - Biodiversity
Policy CP20 – Heritage and Landscape Character

Winchester District Local Plan Part 2 – Development Management and Site Allocations (2017) (LPP2):

Policy DM1 – Location of new development
Policy DM2 – Dwelling Sizes
Policy DM15 – Local Distinctiveness
Policy DM16 – Site Design Criteria
Policy DM17 – Site Development Principles
Policy DM18 – Access and Parking
Policy DM23 – Rural Character

Denmead Neighbourhood Plan 2011 – 2031 (made 2015)

Policy 1 (A Spatial Plan for the Parish)

Policy 2 (Housing Site Allocations)

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Policy 3 (Housing Design)

3. This permission is refused for the following reasons:

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

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OUTLINE APPLICATION FOR THE PHASED
DEVELOPMENT OF UP TO 6 SELF-BUILD AND
CUSTOM HOUSEBUILDING PLOTS WITH ALL
MATTERS RESERVED EXCEPT FOR ACCESS

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LAND SOUTH OF SCHOOL LANE, DENMEAD



LOCATION PLAN



AERIAL VIEW



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0 100 200m 464074 112480 Meters

SITE LAYOUT PLAN (EXISTING)



ILLUSTRATIVE LAYOUT (PROPOSED)



PARAMETER PLAN

Key

- | | | | | | |
|--|--|---|---|---|--|
|  | Application boundary |  | Location of driveway & parking spaces |  | Trees / hedgerow removed |
|  | Individual plot boundary |  | Permitted optional garage area |  | Proposed planting |
|  | Macadam - adoptable roads with opportunity to change materials at junctions - to engineers details |  | Private amenity space |  | Indicative location of BCP (Bin Collection Point) |
|  | Shared driveway |  | Neighbourhood garden, open space or highway verge |  | Junction & forward visibility (indicative - based on 40mph) |
|  | Permitted build area |  | Existing trees and hedgerow with root protection zones (Indicative) |  | Indicative SuDS (Sustainable Drainage System) - to engineers details |



CIL PHASING PLAN

Key

 Phase 1 area

 Phase 2 areas: 2(a-f)



VIEW WEST TO SITE ACCESS



SITE ACCESS



View North West from within site



View towards rear (south) boundary from within site



From rear boundary towards field to south

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View of west boundary from adjacent land



View north towards road (within site)



View from south boundary looking north to School Lane



View south east towards site from School Lane



View east towards Anthill Cottage from within site



Site Access off School Lane



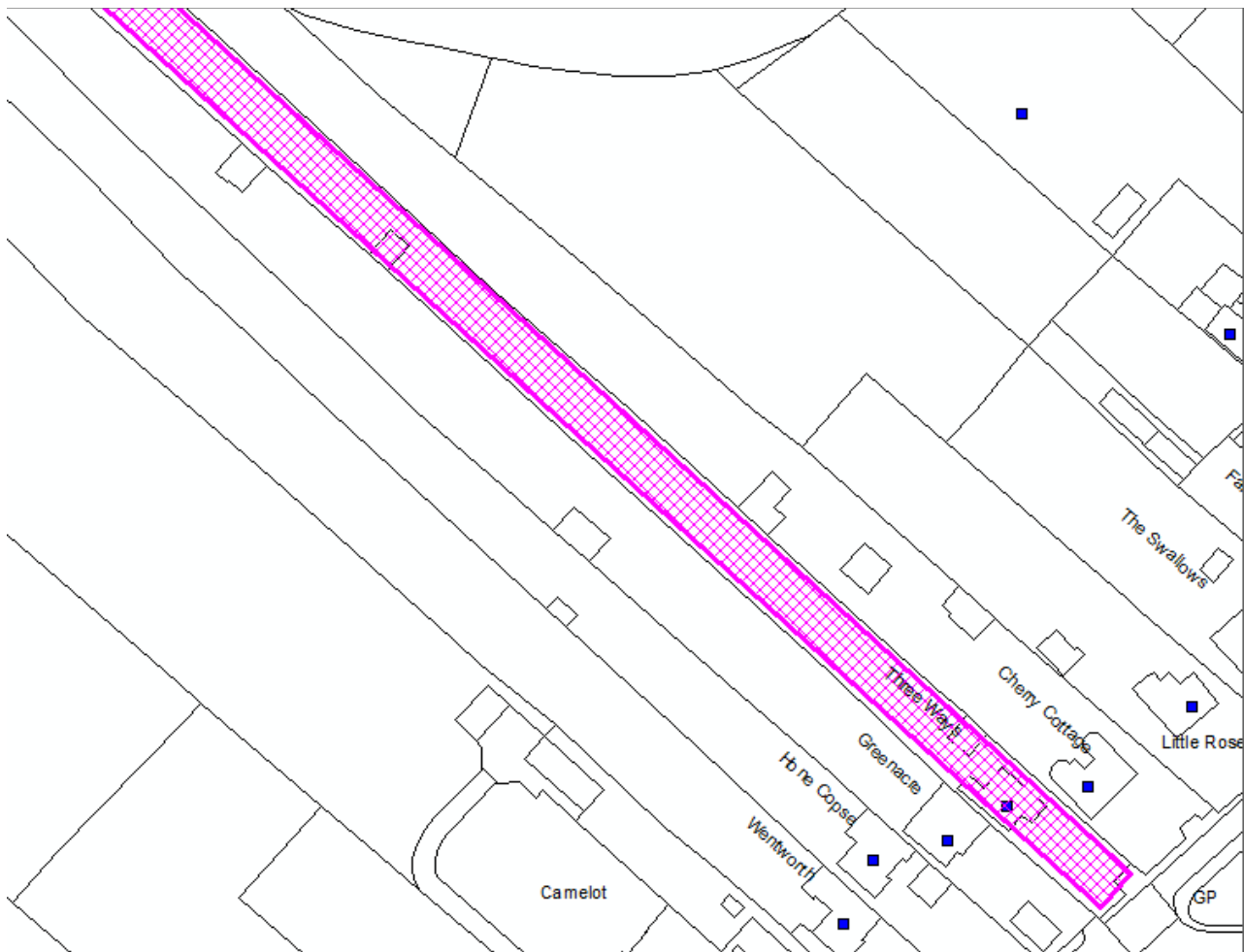
Agenda Item 8

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 23/01099/FUL
Proposal Description: Conversion of garden outbuilding to ancillary living accommodation
Address: Threeways, Heath Road, Wickham, Fareham, Hampshire,
Parish, or Ward if within Winchester City: Soberton Parish Council
Applicants Name: Mr Kevin Lamport
Case Officer: Cameron Finch
Date Valid: 4 May 2023
Recommendation: Permit
Pre Application Advice: No

Link to Planning Documents

[Link to page – enter in reference number 23/01099/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered it is acceptable in terms of its impact on the character of the area and would not harm neighbouring residential amenity. The proposal complies with the policies of the adopted Development Plan.

General Comments

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

Amendments to Plans Negotiated

None

Site Description

Threeways is a four bedroom detached property located to the South West of Soberton Heath, a village with no defined settlement boundary. The property is situated near the junction of Heath Road and Liberty Road in an area which is semi-rural in character. The surrounding development is linear in form and generally consists of low density, detached houses set markedly back from the road. The front of the application site is visible from the public realm and is relatively flat, featuring a drainage course between the front boundary and the road.

Threeways is set back within the plot, allowing a large front garden and parking area to the front and markedly extends to the rear, allowing an expansive rear garden within this relatively narrow plot. The existing dwelling is a chalet style bungalow which provides living accommodation across the ground floor and the four bedrooms within the roof space which has been expanded through the provision of large front rendered dormer windows and a rear tile hung dormer window. An incidental outbuilding has been constructed within the rear garden to provide a home office and gym. It is single storey and finished with a gabled roof form. The external surfaces are finished with grey Cedral cladding. The building is set in from the Northern and Southern boundaries of the site.

The current boundary treatment is open to the front of the dwelling whilst feather board timber fencing is provided along the Southern boundary with some planting behind. The northern boundary is defined by a mature conifer hedge. Parking provision is to the front of the site with the ability to park in excess of three cars on the front driveway.

Proposal

The proposal seeks to convert the existing outbuilding into a residential annexe, ancillary to the host dwelling. The existing layout of the outbuilding is maintained by the proposal. The annexe provides a single bedroom with ensuite bathroom. A combined living, dining, and kitchen area is also provided. There are no external changes to the exterior of the building as built and this has been confirmed as compliant with permitted development criteria. The building can be accessed through a gate to the Northern side of the existing dwelling and parking provision remains as existing. The construction of the building was

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confirmed as permitted development by lawful development certificate 20/01595/LDP. It is noted that a gabled roof has been added as opposed to the flat roof within the LDP drawings, and the garage has been changed to a home office with storage space and a small bathroom. Minor changes to fenestration have been made to reflect the removal of the garage. It is confirmed that the structure as existing complies with permitted development.

As the building is constructed using Permitted Development rights, this application is seeking consent for the change of use of the building to ancillary uses only.

Relevant Planning History

(20/01595/LDP) (PERMITTED 04.09.2020) Erection of gym and garage outbuilding incidental to Threeways.

(20/02207/HOU) (PERMITTED 26.01.2022) (Amended Plans and Description) First floor front extension, porch and enlarged rear dormer

(23/00627/PNHOU) (PRIOR APPROVAL NOT REQUIRED 25.04.2023) Single storey rear extension

Consultations

Service Lead - Engineering (Drainage): No Objection

Representations:

Soberton Parish Council

Soberton Parish Council objects to this Application for change of use of the gym and garage outbuilding which was given a certificate of lawfulness under Class E (buildings etc incidental to the enjoyment of a dwellinghouse) and follows some previous applications for the site and proposals for the outbuilding which were subsequently withdrawn.

This application now seeks to amend the existing outbuilding to an ancillary residential use as identified in the Committee Report associated with Application 20/02207/HOU. This proposal will now result in a self-contained unit where the aforementioned report concluded 'However, I do not consider that there is merit to submitting a planning application for the annexe accommodation of this scale where the facilities provided allow independent occupation without dependency on the main dwellinghouse'.

If this Application is granted permission there will be visual, lighting and noise impacts which will result in a loss of amenity to neighbouring properties.

We would also make the following comments regarding the submitted Planning Statement:

Section 2 - Surface and foul water from the ancillary unit will discharge into the existing drainage systems which serve the main house. The proposals do not seek to create new residential provision, just the reorganization of the existing resident's accommodation. This comment is disingenuous. It is not clear that no new
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residential provision is proposed. At the same time there are well documented problems of drainage along this length of road. If consent is to be granted the Applicant will need to demonstrate and be required to provide a robust drainage strategy which will not result in any additional surface and foul water flows into the existing poor-quality drains, and the Parish would expect a suitable condition would be applied.

Section 3 Planning Policy - This Section quotes entirely Fareham Borough Council policies and therefore the Application is invalid and should not have been accepted.

9 Objecting Representations received from different addresses citing the following material planning reasons:

- Conversion would constitute backfill development.
- Harm caused to neighbours by noise and light pollution.
- The building is overlooked by neighbouring dwellings.
- Change of use sets a precedent for other neighbours to undertake the same development.
- The garage as built is different to that shown under 20/01595/LDP.

Will lead to an increase in surface water drainage. Unclear how foul drainage is dealt with.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

- Section 12

National Planning Practice Guidance

- Design process and tools
- Determining a planning application

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

- DS1 – Development Strategy and Principles
- CP11 - Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP16 – Biodiversity
- MTRA3 – Other Settlements in the Market Towns and Rural Area
- MTRA4 – Development in the Countryside

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

- DM1 – Location of New Development
- DM3 – Small Dwellings in the Countryside
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM23 – Rural Character

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Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Residential Parking Standards 2009

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020 - 2030

Statement of Community Involvement 2018 and 2020

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2023) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The application site is outside of a defined settlement boundary. In this area, policy DM3 seeks to protect small dwellings in the countryside. The property has an existing floorspace above 120sqm and is therefore not bound by the size limitations within this policy.

The application site is within an area where additional residential units are resisted. The proposal is for an ancillary building associated with the existing dwelling on the site. The proposal is not of a size or scale that it could be considered a new dwelling. The outbuilding is in close proximity to the host dwelling and it is considered that the site layout would make it difficult to sever it from the host dwelling. The floor area provides facilities which are typical of a residential annexe and there is a reliance on the host dwelling with regards to parking and utilities. It is considered that the use of the building can be controlled through a suitable worded condition (condition 3) which regulates the ancillary use of the building. It is considered that the development is acceptable in principle.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

Impact on character and appearance of area

The proposal utilises an existing building on the site which was confirmed as meeting Permitted Development criteria under a Lawful Development Certification application. The external appearance is not changed by the application. The building is not visible from the public realm and is completely screened from the highway by the intervening built form of dwellings and boundary treatment which run along the North Western side of Heath Road. Due to boundary screening and the layout of neighbouring gardens, the outbuilding does not appear prominently within the surrounding rural landscape. The proposed use does not lead to an over intensification in use of the site compared with its existing use. The use of the building remains residential which is in accordance with the semi-rural

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nature of the surrounding area. The outbuilding is in close enough proximity to the host dwelling that it is not considered there would be encroachment into the rural context by use of it as an annexe.

There are a number of outbuildings within rear gardens of varying sizes within the surrounding area. It is not considered that the building is of a size or scale that a separate unit of accommodation would be created and it retains the character of a subservient outbuilding typical within the surrounding area. Condition 3 ensures that the use of the building remains ancillary to Threeways. The building as existing has minor external changes to that shown under 20/01595/LDP

The proposed development does not have an adverse impact on the character and appearance of the surrounding area or rural landscape. Therefore the proposal complies with policies DM15 – Local Distinctiveness, DM16 – Site Design Criteria, DM17 – Site Development Principles and DM23 – Rural Character of WDLPP2.

Development affecting the South Downs National Park

The application site is located 0.05 Miles from the South Downs National Park

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) updated 2021. 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.

Whilst the site is in close proximity to the Park, the outbuilding is not visible from the boundary and does not have an impact. It is sited in close proximity to residential dwellings where there will already be limited light overspill which the existing building already contributes to.

In conclusion therefore the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

The proposed works do not affect a statutory listed building or structure including their setting; it is not sited within a Conservation Area, and does not impact upon Archaeology or non-designated Heritage Assets including their setting.

Neighbouring amenity

Greenacres is the neighbouring dwelling to the South of the proposal site. The outbuilding is sited approximately 4 metres away from the boundary with this neighbour and is sited approximately 14 meters from the rear of this dwelling. The building as existing is visible from the rear of this dwelling and harm is not caused by overbearing or by overshadowing.

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It is not considered that the use of the building as an annexe would lead to an intensification in use compared with the existing incidental use that would lead to harm being caused by overlooking or light overspill. The building as existing is already visible from the rear first floor windows of this neighbour and it is acknowledged that there is limited existing overlooking impact between these dwellings as a result of the layout of built form. The building is single storey and does not overlook into neighbouring gardens. The use of the building for ancillary purposes does not cause a material difference to the existing incidental use.

Cherry Trees is the neighbouring dwelling to the North of the proposal site. The outbuilding is sited approximately 28 metres away from the rear of this dwelling. The boundary is defined by mature conifers, a timber panel fence and mature trees which provide effective screening of the building and prevents overbearing and overshadowing harm. As acknowledged above, it is not considered that the use of the building as an annexe would lead to an intensification in use compared with the existing incidental use that would lead to harm being caused by overlooking or light overspill. The building remains in a residential use and it is not considered that there would be noise impacts on neighbours as a result of continued domestic noise which would be expected at all dwellings and is reasonable. Separate legislation exists for instances in which there is a nuisance. No direct impact on key amenity space is demonstrated.

No further dwellings have a direct relationship with the building and are not harmed by the change to an ancillary annexe. The outbuilding is visible from Hone Copse to the South West and Little Rose to the north-east. The building would also be visible in glimpses from other dwellings along Heath Road. Whilst the building is visible, they are at a sufficient distance that the use as an annexe does not cause harmful overlooking between these dwellings. No harm is caused by overbearing, or overshadowing.

Therefore the proposal complies with policy DM17 – Site Development Principles of WDLPP2.

Sustainable Transport

It is not considered that the proposed development produces an increased number of trips to and from the site as the use is linked to the existing dwelling. The existing parking provision on site is sufficient to accord with adopted car parking standards. Three vehicles can be accommodated comfortably on the existing front driveway.

Therefore the proposal complies with policy DM18 – Access and Parking of WDLPP2.

Ecology and Biodiversity

The proposal will have no impact as it is not development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites). The proposal is associated with the existing residential unit on the site as such is not an additional unit of overnight accommodation requiring nutrient mitigation.

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

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Therefore the proposal complies with policy CP16 – Biodiversity of LPP1.

Sustainable Drainage

The proposal will have no impact as the annexe utilises an existing building. The existing facilities for foul drainage are utilised and as this is unlikely to produce additional load. There is no increase in hardstanding on site as a result of the proposed development and there will not be an increase in surface water runoff as a result of the proposed development.

The proposal therefore complies with policy CP17 of LPP1 and DM17 of LPP2.

Equality

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

Planning Balance and Conclusion

The proposed conversion of the existing outbuilding into an ancillary residential annexe does not cause harm to the character and appearance of the surrounding area. The annexe does not constitute the creation of a new dwelling in the countryside and is in accordance with the development plan.

Recommendation

Permission subject to the following condition(s):

Conditions

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

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

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

Location Plan received 04 May 2023

Proposed Floor Plans & Elevations received 04 May 2023 drawing no. GP/01/02 REV C

Proposed Block Plans received 04 May 2023 drawing no. GP/03/22

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

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3 The annexe hereby permitted shall be occupied in association with the dwelling house or shall be used for the purposes ancillary to the dwelling house (Threeways).
At no time shall the annexe be sold, let or occupied as an independent unit of accommodation.

Reason: To accord with the terms of the application and to prevent the creation of inappropriate units of accommodation, possibly leading to over intensive use of the site.

Informative:

1.

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

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

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

2.

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, CP16, MTRA3, MTRA4

Local Plan Part 2 – Development Management and Site Allocations: DM3, DM15, DM16, DM17, DM18, DM23

Car Parking Standards Supplementary Planning Document (2009)

3.

This permission is granted for the following reasons:

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

4.

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

5.

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

6.

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

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

7.

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

**23/01099/FUL – Threeways, Heath
Road, Wickham, Hampshire,
PO17 6LA**

Page 97 Conversion of garden outbuilding to ancillary living
accommodation



LOCATION PLAN

Date Produced: 04-May-2023

Scale: 1:1250 @A3

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Planning Portal Reference: PP-12135883v1



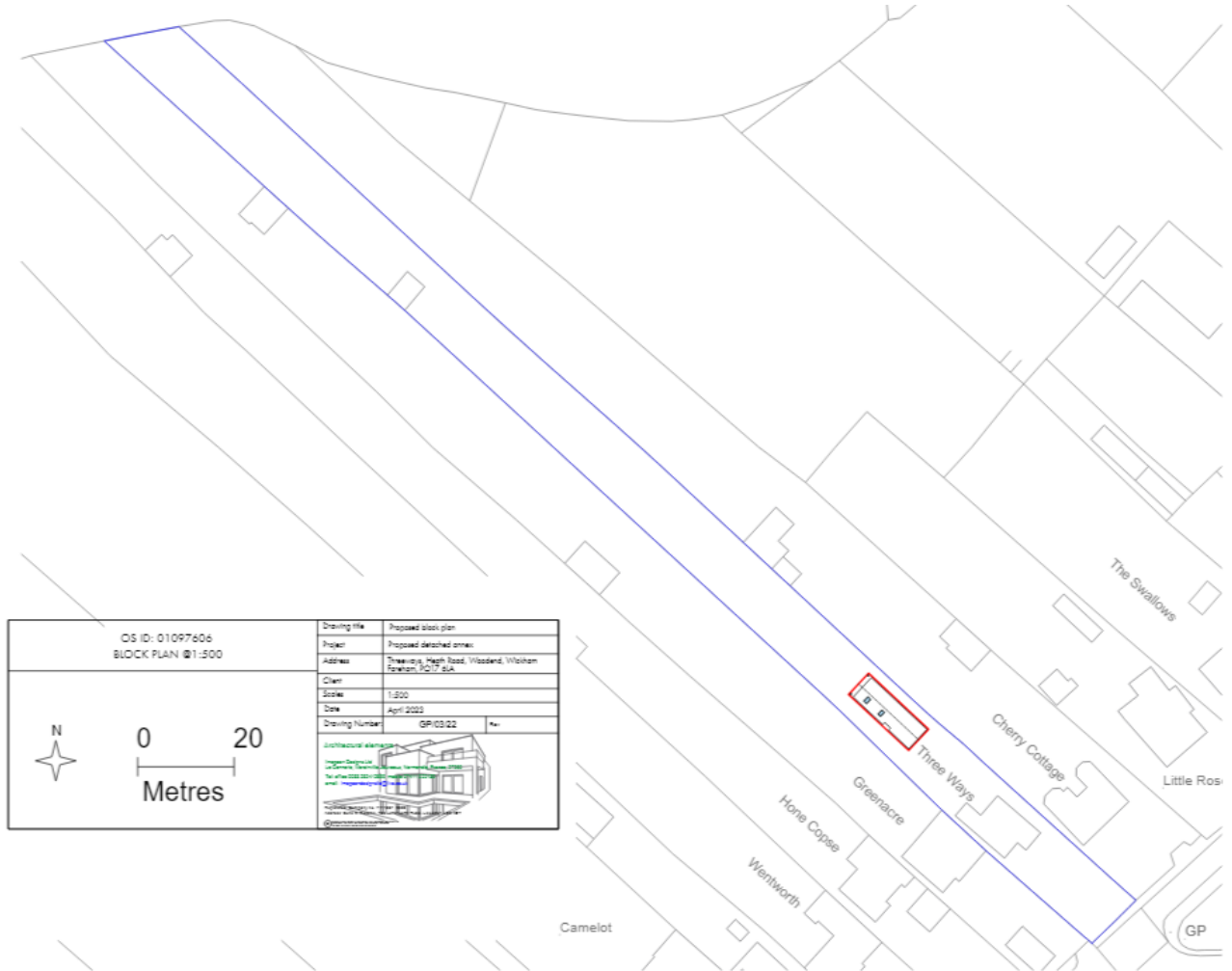
AERIAL PHOTOGRAPH



Shows posing of the dwelling in relation to neighboring dwellings on Heath Road

Page 99

PROPOSED SITE PLAN



Plans Permitted Under 20/02207/HOU

Page 101



PROPOSED FRONT ELEVATION (facing east) SCALE 1:100



PROPOSED SIDE ELEVATION (facing north) SCALE 1:100

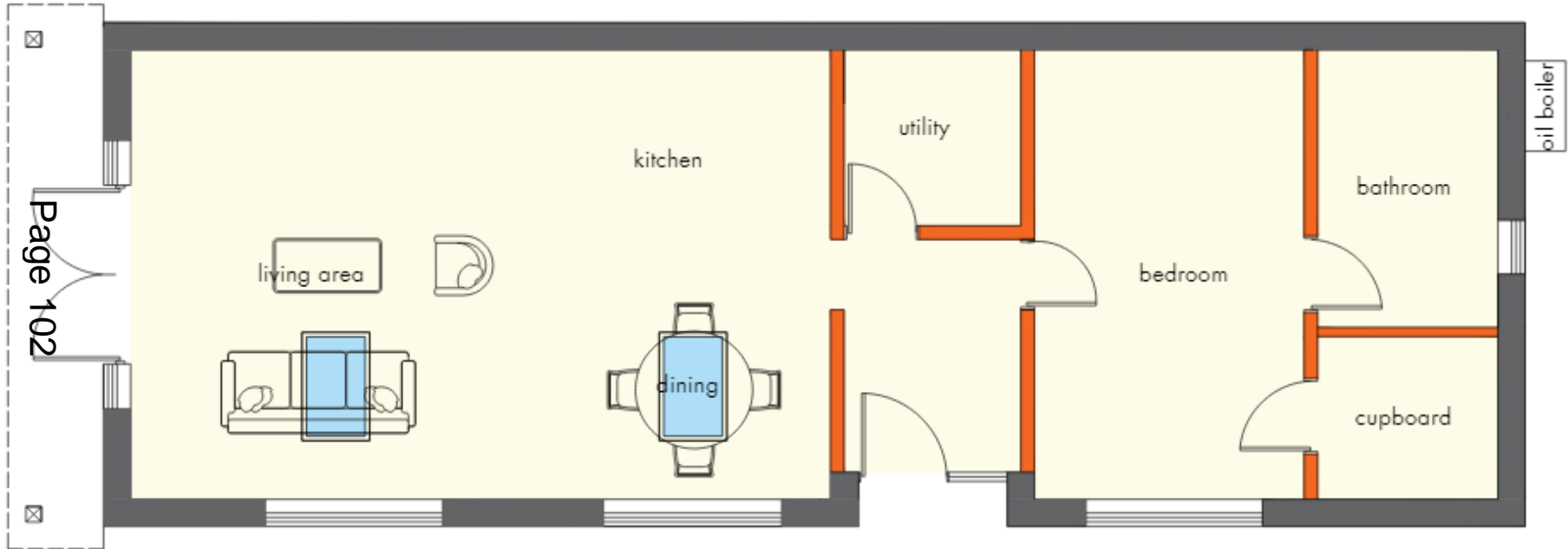


PROPOSED REAR ELEVATION (facing west) SCALE 1:100



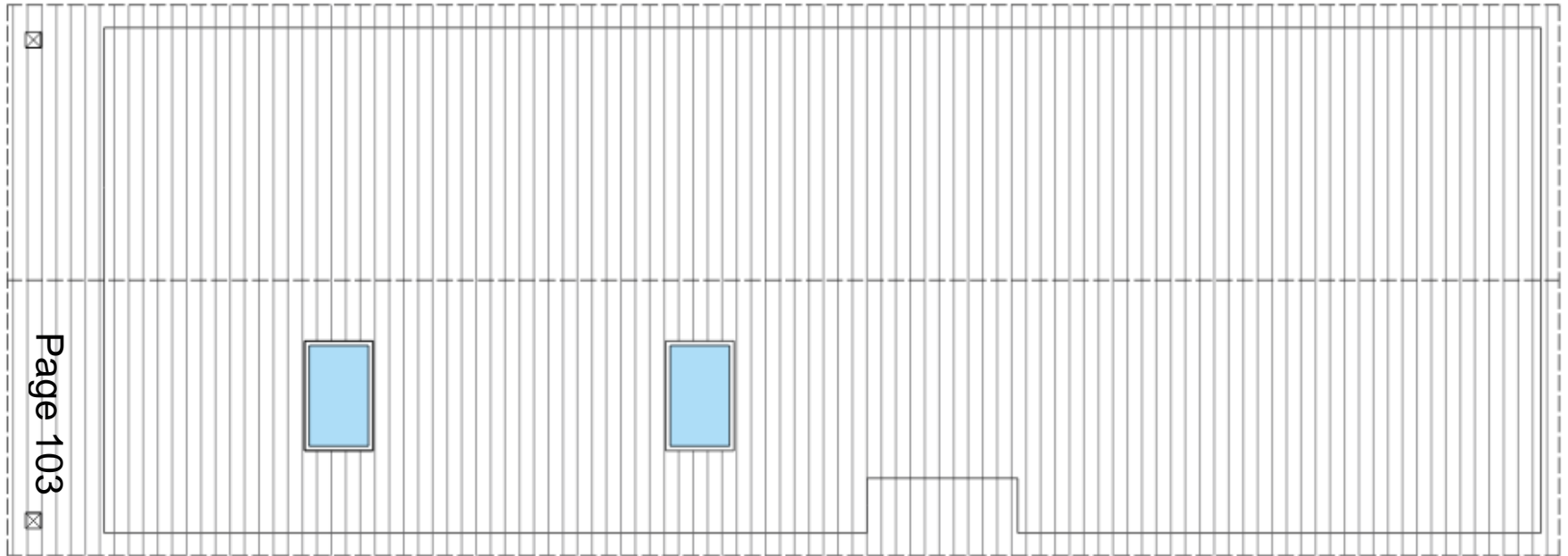
PROPOSED SIDE ELEVATION (facing south) SCALE 1:100

PROPOSED FLOOR PLAN



PROPOSED GROUND FLOOR PLAN @1:50

Proposed Roof Plan

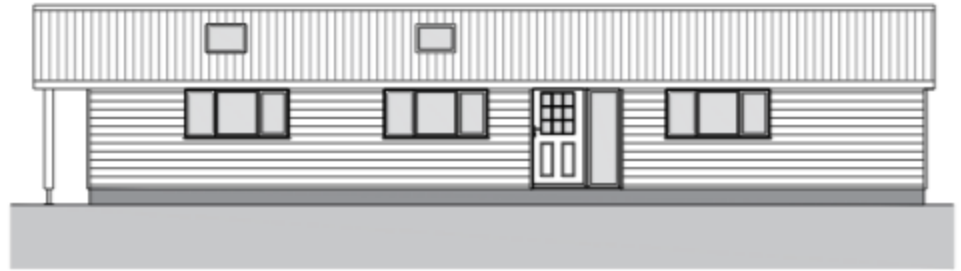


PROPOSED ROOF PLAN @1:50

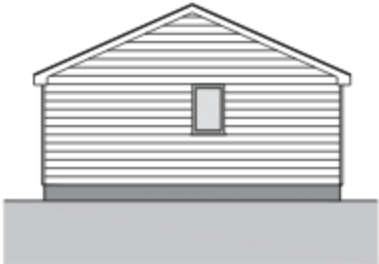
PROPOSED ELEVATIONS



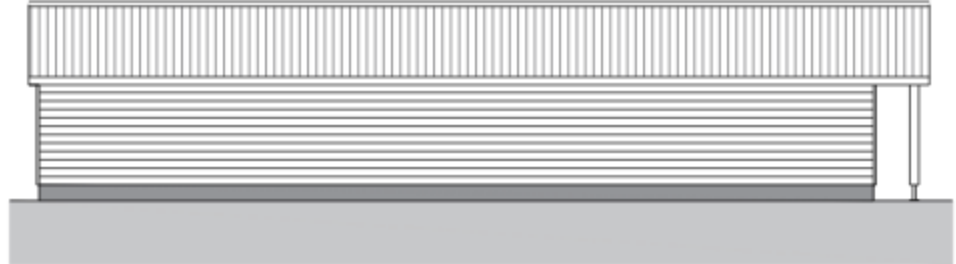
FRONT
Page 104



SIDE



REAR



SIDE

SITE PHOTOGRAPHS



Outbuilding looking towards the host dwelling.



Site Photographs

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Looking into the garden from the host dwelling.



Site Photographs



Page 107



Side elevations

Site Photographs



Page 108



View Towards neighbouring dwellings



CONCLUSION

Recommendation: PERMIT

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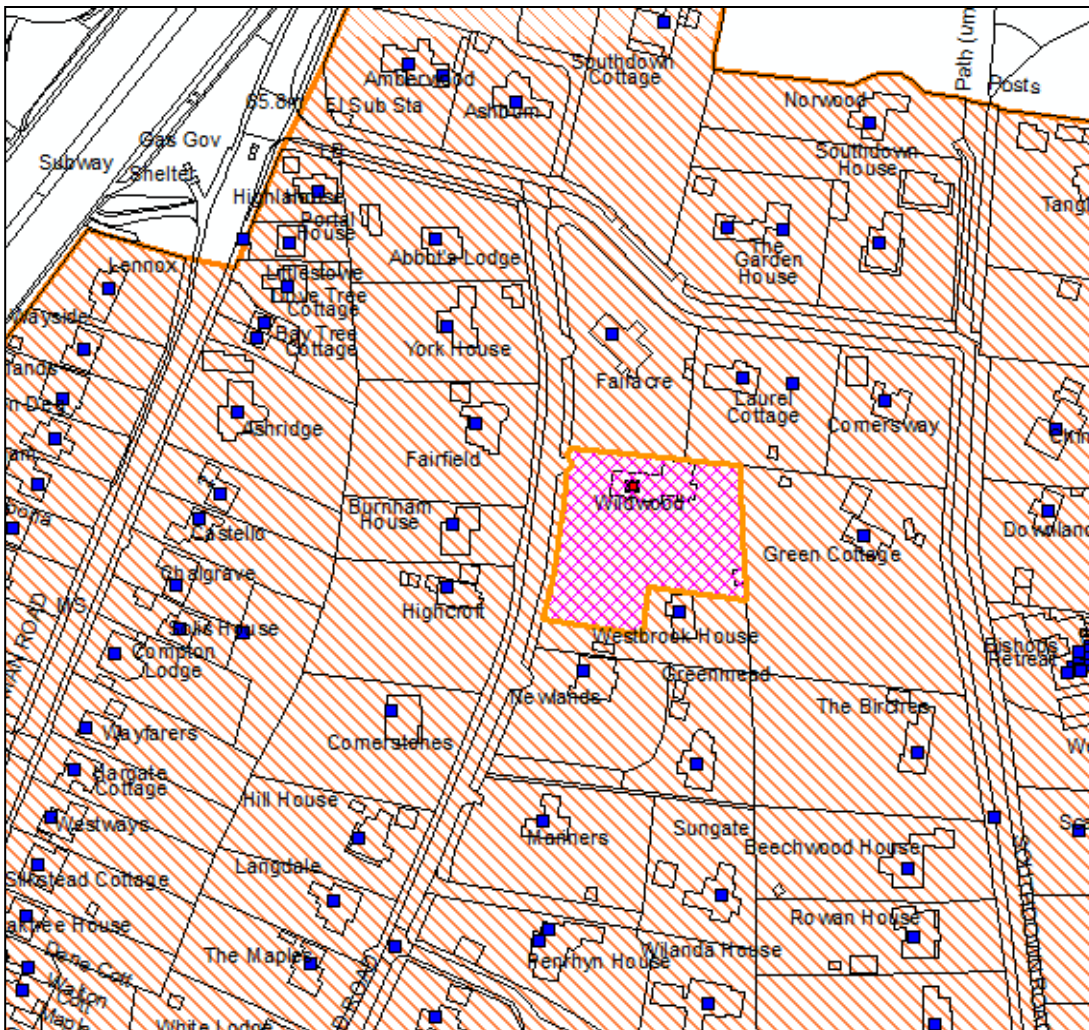
WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 23/01806/FUL
Proposal Description: Demolition of existing dwelling to allow for replacement dwelling and 2x new properties with associated landscaping
Address: Wildwood Fairfield Road Shawford Winchester Hampshire
Parish, or Ward if within Winchester City: Compton And Shawford
Applicants Name: Mr Jack Sowden
Case Officer: Catherine Watson
Date Valid: 25 July 2023
Recommendation: Application Permitted
Pre Application Advice: Yes

Link to Planning Documents

[Link to page – enter in reference number: 23/01806/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that it will have a positive impact on the character of the area and would not harm neighbouring residential amenity or have a negative impact on highway safety and is in accordance with the development plan.

General Comments

The application is reported to committee because of the number of objections received contrary to the Officer's recommendation.

Amendments to Plans Negotiated

None

Site Description

The site is situated within the settlement boundary of South Down, between Shawford and Otterbourne.

The site consists of a large plot with a single, detached dwelling which sits adjacent to the northern boundary. It is an unusual shape and it is likely that this has been sub-divided in the past in order to allow Westbrook House to be constructed to the south. Fairfield Road and neighbouring streets are predominantly characterised by large plots of land with single, two and 1.5 storey dwellings.

Proposal

The proposal is for the demolition of the existing dwelling and the construction of a replacement, alongside two additional new dwellings. Associated parking, amenity areas and landscaping are also proposed.

Relevant Planning History

None directly relevant to this proposal.

Consultations

Service Lead for Community and Wellbeing (Ecology)

No objection, subject to conditions for mitigation and biodiversity enhancement.

Service Lead for Engineering, Transport and Special Maintenance (Drainage)

Comment. Additional information required but this can be controlled by condition.

Natural England

Objection to the use of a package treatment plant in an area with mains sewer connections.

Representations:

Compton and Shawford PC – no comment received.

6 objecting representations received from different addresses citing the following material planning reasons:

- The neo-Georgian design of the proposed plots 2 and 3 is confused;
- Plot 1 is poorly designed, overbearing and visually oppressive;
- Plot sizes would set a precedent for the area;

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- Removal of trees and hedges alters the character of the neighbourhood;
- There will be an increase in traffic.

1 general comment from Southdown Residents' Association:

- If the application is permitted, contractor vehicles, including deliveries, must be parked on-site during construction and not on grass verges

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
10. Supporting high quality communications
11. Making effective use of land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

National Planning Practice Guidance

- Appropriate assessment
- Before submitting an application
- Climate change
- Community Infrastructure Levy
- Consultation and pre-decision matters
- Design: process and tools
- Determining a planning application
- Effective use of land
- Housing supply and delivery
- Making an application
- Natural environment
- Renewable and low carbon energy
- Use of planning conditions
- Waste
- Water supply, wastewater and water quality

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1). DS1 – Development Strategy and Principles

DS1 – Development Strategy and Principles

MTRA3 – Other Settlements in the Market Towns and Rural Area

CP1 – Housing Provision

CP2 – Housing Provision and Mix

CP11 – Sustainable and Low Carbon Built Development

CP12 – Renewable and Decentralised Energy

CP13 – High Quality Design

CP16 - Biodiversity

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

DM1 – Location of New Development

DM15 – Local Distinctiveness

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DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Residential Parking Standards December 2009

Other relevant documents

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030
Statement of Community Involvement 2018 and 2020
Biodiversity Action Plan 2021, updated July 2023
Waste Management Guidelines and Bin Arrangements
Nutrients Update Statement March 2022

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The site is situated within the settlement boundary of South Down, between Shawford and Otterbourne. Therefore, residential development is acceptable in principle as supported by policies DS1 of the LPP1 and DM1 of the LPP2.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

Impact on character and appearance of area

The site consists of a large plot with a single, detached dwelling which sits adjacent to the northern boundary. Fairfield Road and neighbouring streets are predominantly characterised by large plots of land with single, two and 1.5 storey dwellings. A significant number of these plots are increasingly being sub-divided for the purpose of the construction of additional dwellings. There are still a number of relatively large plots on the eastern side of Fairfield Road however to the south, these have been sub-divided to create new dwellings to the rear. As well as Westbrook House, these include Greenmead, Sungate and Wilanda House. On the western side of the road, the plot sizes are narrower and shorter.

The proposed house to the rear (Plot 1) would correspond with Westbrook House and the other properties mentioned above.

The proposed design is for a two-storey dwelling with low eaves and gabled elements to the front and rear, giving it a more contemporary feel than plots 2 and 3. Materials are orange/multi brick with timber cladding at first floor level. The roof will be constructed using slate or dark coloured clay tiles. There will be an attached garage at a 90-degree

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angle to the front of the property with additional external parking also to the front. The garden amenity area is generous and the total number of bedrooms is five.

Plots 2 and 3 will be constructed to the front of the site and will address Fairfield Road. These will be constructed to a more classical design, with sash windows and small dormers and will also be constructed of brick with pediments around the front doors, quoins and slate or dark clay tile roofs. Plot 2 will have a detached garage to the south and Plot 3's garage will be attached to the main dwelling via a link. Again, these will have space for external parking to the front.

The design and materials of the proposed dwellings are high quality and acceptable as there is no particular prevailing character of design in the area. Condition 3 will require details and samples of external finishes to be submitted to and approved in writing by the local planning authority.

Therefore the proposal complies with policies CP13 of the LPP1 and DM15, DM16 and DM17 of the LPP2, as well as the High Quality Places SPD.

Housing Mix.

As the rearmost dwelling is a replacement for an existing large property, 5 bedrooms would be appropriate. Dwellings 2 and 3 are also proposed to have 5 bedrooms. Analysis of the area has been undertaken by the applicant which shows that the majority of the properties in South Down consists of 4, 5, 6 and 7 bedrooms. Given the size of the site and its location, it is considered that 3 no 5-bed houses would be appropriate in this particular instance and would therefore accord with policy CP2 of the LPP1 which states that local circumstances may indicate an alternative approach with regards to the housing mix.

Development affecting the South Downs National Park

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) updated 2021. 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.

The application site is located 0.3 km from the South Downs National Park. Given this distance and the fact that housing development is being added to a residential area within the settlement boundary, no impact on the National Park is identified.

Historic Environment

No impact, the works do not affect a statutory listed building or structure including setting, Conservation Areas, Archaeology or Non-designated Heritage Assets including their setting.

Neighbouring amenity

The positioning along the front boundary of plots 2 and 3 will reduce any amenity harm by means of overlooking. To the north-east, plot 1 is situated approximately 50m from Green Cottage, 40m from Laurel Cottage and 65m from Cornersway. Along with the verdant

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boundary treatment, it is not considered that there would be any harm to the amenities of these properties by means of overlooking, overshadowing or overbearing.

The 3 new dwellings are suitably spaced apart and orientated to avoid any unacceptable impact on residential amenity between each other.

Therefore the proposal complies with policy DM17 of the LPP2.

Sustainable Transport

Two new vehicular accesses would be created onto Fairfield Road. This is an unclassified, but adopted, road. The existing access will be utilised for plot 1, whilst separate access for plots 2 and 3 will also be created. HCC Highways standing advice states that vehicles should be able to enter and leave the highway in a forward gear. This has been accommodated in the proposed development. During the construction period, a construction management plan will ensure that all vehicles can turn and manoeuvre within the site and any mud on wheels will be removed prior to the vehicles leaving the site. This is covered in condition 4.

It is considered that the development would have an acceptable traffic generation and highway safety impact. An appropriate number of parking spaces, including garages and cycle storage, have been provided and therefore the development complies with policy DM18 of the LPP2 and the WCC Parking Standards SPD.

The site is outside of the Air Quality Management Area for Winchester and therefore no air quality statement or assessment is required.

Therefore, the proposal complies with policy DM18 of the LPP2, WCC Parking Standards SPD and the HCC Highways Standing Advice.

Ecology and Biodiversity

The proposal is for development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) and /or is for overnight accommodation affecting nutrients.

The applicant has indicated that they will enter into an agreement with Eastleigh Borough Council for the provision of nitrogen and phosphorous credits. This is possible as the new development would link up to the Chickenhall Wastewater Treatment Works. This will be confirmed via a signed vesting certificate. Condition 3 will ensure this is adhered to.

The development therefore complies with The EU Habitats Directive and Conservation of Habitats & Species (Amendment) Regulations 2011 and contains an Appropriate Assessment as Competent Authority (if required).

A number of trees are proposed to be removed from the interior of the site to facilitate the development. The trees are not subject to a TPO and the site will be enhanced by additional trees and new native hedging. Several of the existing fruit trees will be relocated elsewhere on the site. The boundary trees and planting (except where the new accesses are proposed) are to be retained. Hard boundary treatments are not proposed. Condition 5 will require the approved landscaping details to be adhered to.

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The ecology survey and mitigation report notes that commuting and foraging bats use the site. These would need to be protected for when removing trees. In addition, there is the possibility for reptiles, nesting birds and hedgehogs to be present. Mitigation measures suggested are raised bat access tiles, swift bricks, bee bricks and native species trees and hedging. This will be controlled under condition 7.

Therefore the proposal complies with policy CP16 of the LPP1.

Appropriate Assessment.

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution of nitrogen budget pre 2025 into the Solent catchment area which will be 6.31 kilograms of total nitrogen per year (kg/TN/year, with 20% buffer applied) and post 2025 will also be 6.31 kilograms of total nitrogen per year (kg/TN/year, with 20% buffer applied), is made. There will be a phosphorous budget pre 2025 into the Solent catchment area of 0.23 kilograms of total phosphorous per year (kg/TP/year, with 20% buffer applied) and post 2025 of 0.14 kilograms of total phosphorous per year (kg/TP/year, with 20% buffer applied).

The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nutrient neutral development and the guidance on nutrients from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition (condition 3) complies with this strategy and would result in nutrient neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2018.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. Condition 8 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

The dwellings will feature high levels of insulation and air tightness and will utilise air-source heat pumps.

Condition 9 then requests as-built data prior to the occupation of the unit to ensure that the requirements have been met.

The proposal therefore complies with policy CP11 of the Local Plan Part 1.

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Sustainable Drainage

The proposed location is in Flood Zone 1, which means there is a very low chance of fluvial flooding. The risk of pluvial flooding is also low but it should be further reduced by implementing a robust SuDS to avoid increased risk in the neighbourhood. Soakaways are being used for surface water drainage and infiltration testing will be required to calculate an infiltration rate. The site will connect to the main sewer in respect of foul drainage, which is acceptable. A standard pre-commencement condition (10) for foul and surface water drainage will be required.

Therefore the proposal complies with policy DM17 of the LPP2.

Equality

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

Planning Balance and Conclusion

The proposed development is well-designed and makes efficient use of the available space. The soft landscaping will introduce shrubs and trees that will be beneficial both to the appearance of the site and its impact on the surrounding area, as well as having ecological benefits. Other ecological mitigation measures such as bat and swift boxes will also benefit these species. There will not be significant harm to neighbour amenity caused by the proposed development. The application is proposing suitable mitigation measures for the effects of nitrogen and phosphorous.

Therefore, the application is recommended permission and complies with policies DS1, MTRA3, CP13 and CP16 of the LPP1, DM1, DM15, DM16, DM17 and DM18 of the LPP2 and High Quality Places SPD

Recommendation

Application Permitted, subject to the following conditions:

Conditions

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

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

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

Location and Block Plan Dwg No 01-02-001 received 25.07.2023

Topographic Survey Dwg No LDS/17548 TP1 received 25.07.2023

Proposed Ground Floor Plan Dwg No 01-03-001 received 25.07.2023

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Proposed First Floor Plan Dwg No 01-03-002 received 25.07.2023
Proposed North and West Elevations Dwg No 01-05-001 received 25.07.2023
Proposed South and East Elevations Dwg No 01-05-002 received 25.07.2023
Proposed Site Plan Dwg No 02-02-02 received 25.07.2023
Proposed GF Plan – Plot 2 Dwg No 02-03-03 received 25.07.2023
Proposed FF Plan – Plot 2 Dwg No 02-03-04 received 25.07.2023
Proposed SF Plan – Plot 2 Dwg No 02-03-05 received 25.07.2023
Proposed Detached Garage Dwg No 02-03-06 received 25.07.2023
Proposed GF Plan – Plot 3 Dwg No 02-03-07 received 25.07.2023
Proposed FF Plan – Plot 3 Dwg No 02-03-08 received 25.07.2023
Proposed SF Plan – Plot 3 Dwg No 02-03-09 received 25.07.2023
Proposed Front Elevation – Plot 2 Dwg No 02-05-05 received 25.07.2023
Proposed Rear Elevation – Plot 2 Dwg No 02-05-06 received 25.07.2023
Proposed Side Elevation – Plot 2 Dwg No 02-05-07 received 25.07.2023
Proposed Side Elevation – Plot 2 Dwg No 02-05-08 received 25.07.2023
Proposed Landscaping Plan Dwg No 02-02-03 received 05.09.2023

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

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

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

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

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

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

5. Prior to work commencing on the site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details;

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General:

- Phases of development.
- Code of Construction Practice for all works and operations on the site
- Use of fences and barriers to protect adjacent land
- Measures to be undertaken to minimise impacts on surrounding land
- Timetable and dates for stages of the development, including land restoration at the completion of construction works.

Environmental:

- Dust suppression, mitigation and avoidance measures
- Measures for minimising construction waste and provision for the re-use and recycling of materials which shall be used in the construction of the development.
- Noise reduction measures, including use and details of any acoustic screens and enclosures, the type of equipment to be used and their hours of operation
 - Floodlighting and security lighting. (note: this must be directed in such a way as not to cause nuisance to adjoining properties or adjacent highway).

Ecological:

- Timing restrictions for staged removal of any vegetation so as not to conflict with breeding seasons

Transportation:

- A traffic management plan for construction vehicles entering and leaving the site, including times of movement so as to avoid peak period traffic.
- Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development.
- Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

The Construction Management Plan shall be adhered to throughout the duration of the construction period. For the avoidance of doubt, this condition covers all construction and demolition work (including the breaking up and removal of pavement) on the application site.

Reason: To ensure that all demolition and construction work in relation to the application is undertaken in a sustainable manner and does not cause materially harmful effects on nearby properties and businesses.

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

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

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

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

8. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within Section 5 'Biodiversity Mitigation and Mitigation Strategy' of the Ecological Assessment Report by ABR Ecology (July 2023). Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To provide adequate mitigation and enhancement for protected species.

9. Prior to the commencement of the development hereby permitted, detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of a 'design stage' Standard Assessment Procedure (SAP) calculation and a water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority.

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

10. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the Equivalent of Code for Sustainable Homes Level 4 for Energy and Equivalent of Code for Sustainable Homes Level 3 / 4 for water, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

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

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

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

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Informatives:

1. In accordance with paragraph 38 of the NPPF (2021), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, CP16, MTRA3

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

High Quality Places SPD

Parking Standards SPD

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030

Statement of Community Involvement 2018 and 2020

Biodiversity Action Plan 2021, updated July 2023

Waste Management Guidelines and Bin Arrangements

Nutrients Update Statement March 2022

3. This permission is granted for the following reasons:

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

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

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

5. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider 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.

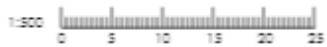
For further advice, please refer to the Construction Code of Practice

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

EXISTING BLOCK AND LOCATION PLANS



Block Plan 1:500



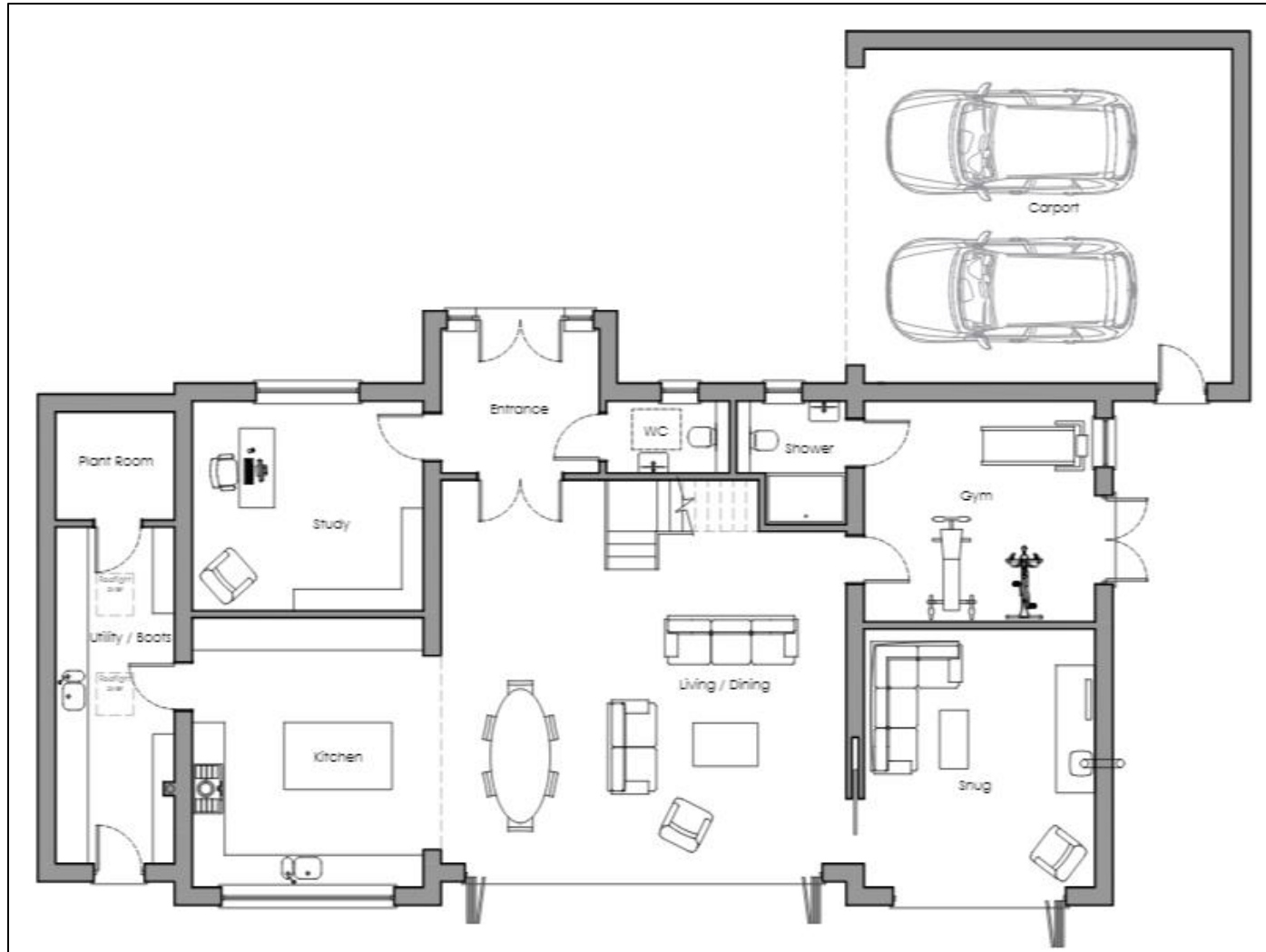
Location Plan 1:1250



PROPOSED SITE PLAN



PROPOSED GROUND FLOOR PLAN – HOUSE 1



PROPOSED FIRST FLOOR PLAN – HOUSE 1

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PROPOSED NORTH AND WEST ELEVATIONS – HOUSE 1



North Elevation

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West Elevation

PROPOSED SOUTH AND EAST ELEVATIONS – HOUSE 1

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South Elevation



East Elevation

PROPOSED GROUND AND FIRST FLOOR PLANS – HOUSE 2

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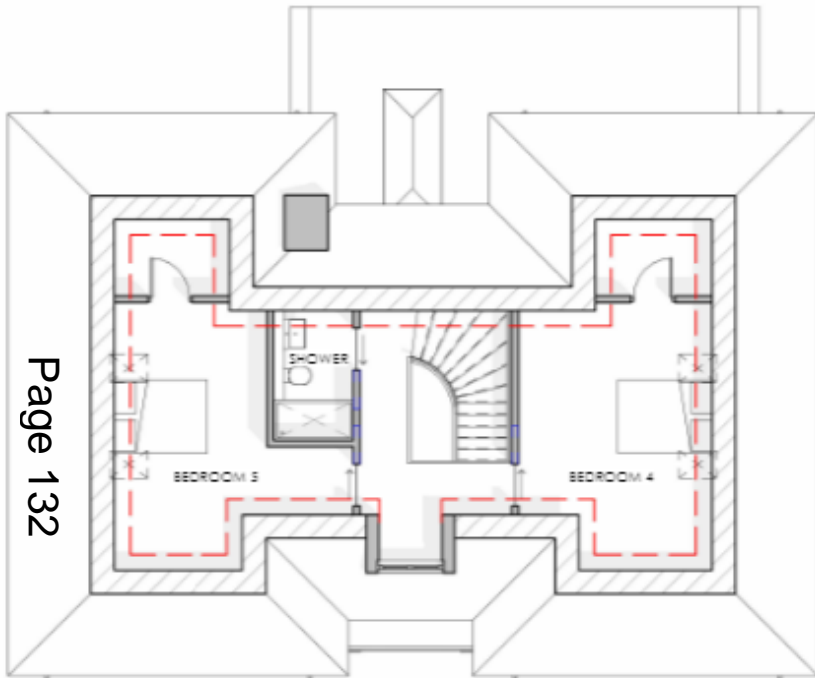


Ground Floor

First Floor



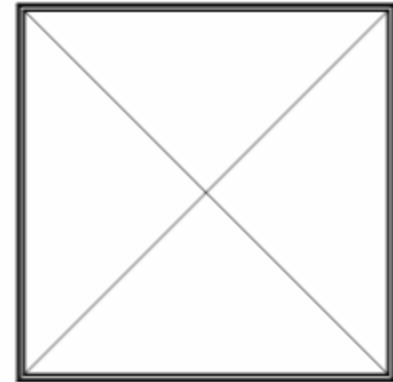
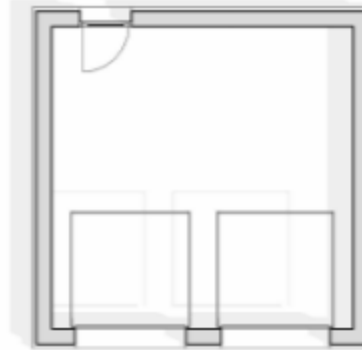
PROPOSED SECOND FLOOR PLAN AND DETACHED GARAGE – HOUSE 2



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2nd Floor

Garage floor and roof plans



3 Proposed Front/West Elevation
1 : 100



4 Proposed Rear/East Elevation
1 : 100



5 Proposed Side/South Elevation
1 : 100



6 Proposed Side/North Elevation
1 : 100

Garage Elevations

PROPOSED FRONT/WEST AND REAR/EAST ELEVATIONS – HOUSE 2



Front



Rear

PROPOSED SIDE/SOUTH AND SIDE/NORTH ELEVATIONS – HOUSE 2

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South



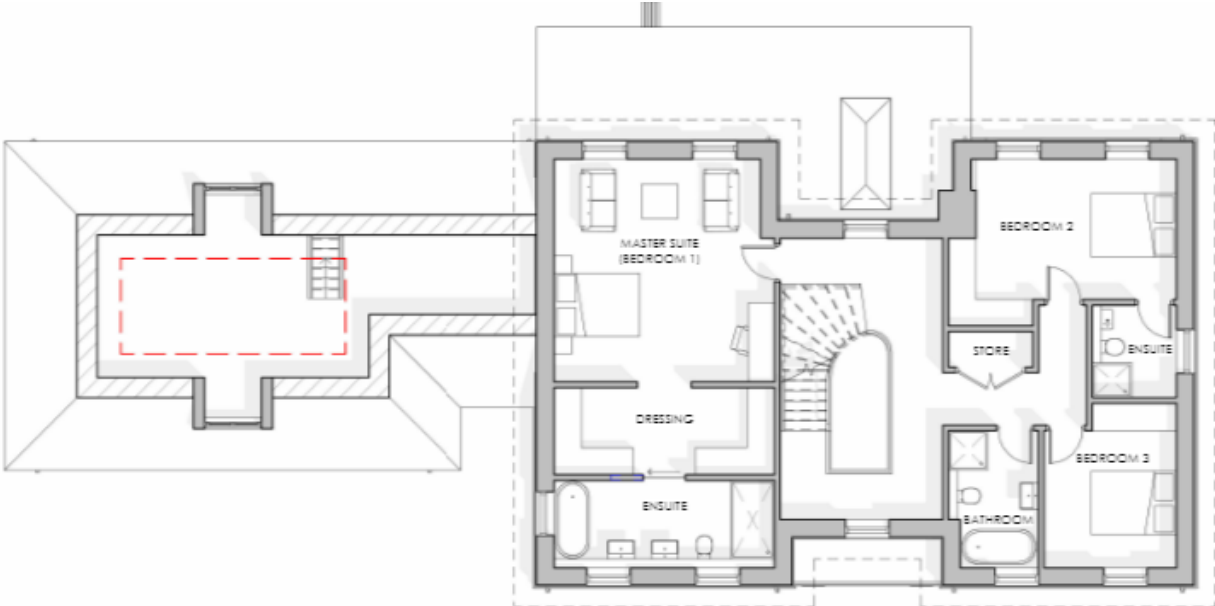
North

PROPOSED GROUND AND FIRST FLOOR PLANS – HOUSE 3



Ground Floor

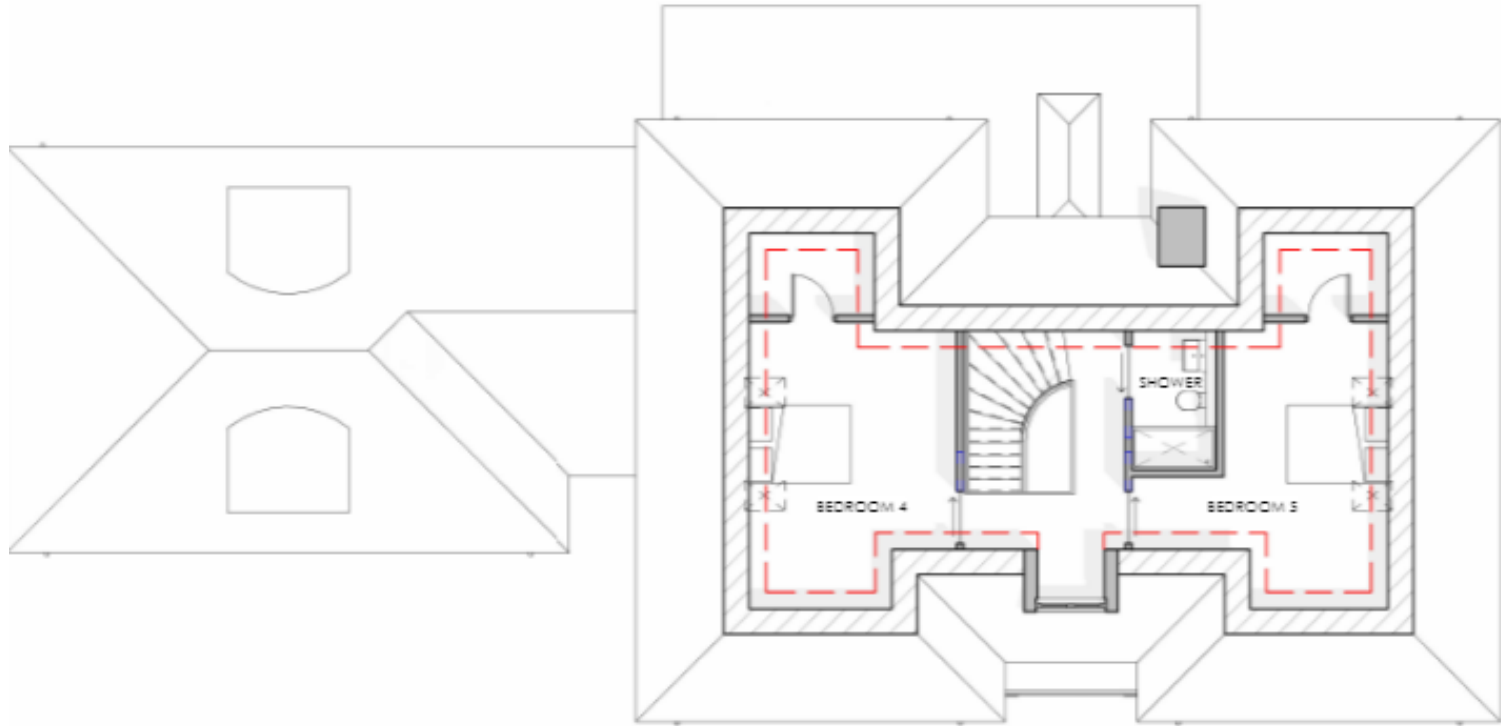
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First Floor

PROPOSED SECOND FLOOR PLAN – HOUSE 3

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PROPOSED FRONT/WEST AND REAR/EAST ELEVATIONS – HOUSE 3



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PROPOSED SIDE/SOUTH AND SIDE/NORTH ELEVATIONS – HOUSE 3

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South



North

PHOTOGRAPHS – REAR (SOUTH) OF EXISTING DWELLING AND GARDEN LOOKING TOWARDS FAIRFIELD ROAD



PHOTOGRAPHS – LOOKING EAST AND WEST



PHOTOGRAPHS – EXISTING ACCESS

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PHOTOGRAPHS – FAIRFIELD ROAD BOUNDARY FROM NORTH AND SOUTH

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