



Meeting	Planning Committee
Date and Time	Wednesday, 15th October, 2025 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 on Thursday, 9 October 2025 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**

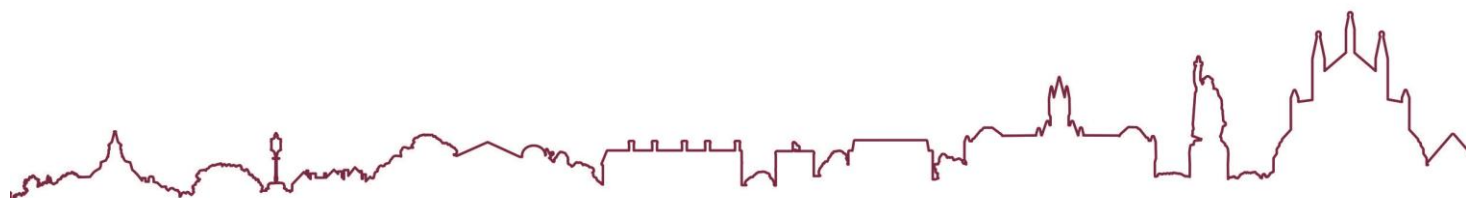
To receive any disclosure of interests from Councillors or Officers in matters to be discussed.

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests (DPIs), other registerable interests (ORIs), non-registerable interests (NRIs) and on Pre-determination 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.** (Pages 9 - 14)

Minutes of the previous meeting held on 24 September 2025.



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 9 October 2025 via email: planningcommittee@winchester.gov.uk OR Tel: on (01962) 848 339 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 6-8 and Update Sheet refers)**
6. **Land to the Rear of the Chairmakers Arms Forest Road Worlds End Hambledon (Case Ref: 25/01078/FUL) (Pages 15 - 42)**
7. **86 Thurmond Crescent Winchester SO22 4DH (Case Ref: 25/01617/FUL) (Pages 43 - 62)**
8. **1 Sussex Close Hursley Winchester Hampshire SO21 2JQ (Case Ref: 25/01003/HOU) (Pages 63 - 90)**
9. **TPO: Oak Lodge Bank Street Bishops Waltham Southampton Hampshire SO32 1AN (Case Ref: TPO 2360) (Pages 91 - 106)**
10. **Planning And Enforcement Notice Appeals Quarterly Report – 1 July 2025 To 30 September 2025 (Pages 107 - 118)**

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.



7 October 2025

Agenda Contact: Matthew Watson, Senior Democratic Services Officer tel: 01962 848 317 Email: mwatson@winchester.gov.uk

**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:

Williams (Liberal Democrats)

Conservatives

Cunningham
Langford-Smith

Liberal Democrats

Aron
Gordon-Smith
Laming
Small

Green

White

Conservatives

Bolton and Godfrey

Deputy Members Liberal Democrats

Clear and Pett

Green

Lee

Quorum = 3 members

THE HUMAN RIGHTS ACT 1998:

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

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

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

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

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, 9 October 2025) 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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Public Document Pack Agenda Item 3

PLANNING COMMITTEE

Wednesday, 24 September 2025

Attendance:

Councillors
Rutter (Chairperson)

Aron
Cunningham
Gordon-Smith
Laming

Langford-Smith
Small
White

Apologies for Absence:

Councillor Williams

Deputy Members:

Councillor Pett (as deputy for Williams)

Other members in attendance:

Councillors V Achwal and Cutler

[Video recording of this meeting](#)

1. **APOLOGIES AND DEPUTY MEMBERS**

Apologies were noted as above.

2. **APPOINTMENT OF VICE-CHAIR**

Councillor Russell Gordon-Smith was elected Vice-Chair for this meeting only.

3. **DISCLOSURES OF INTERESTS**

Councillor Laming made a personal statement that he was a Ward Member in respect of item 10. Norlands Otterbourne Road Compton Winchester Hampshire (Ref: 24/02233/FUL). However, he had taken no part in discussions regarding the application; therefore, he took part in the consideration of the item and voted thereon.

Councillor Rutter made a personal statement that she was a Ward Member in respect of item 8. 3 - 4 Court Road Kings Worthy Hampshire (Ref: 25/01206/VAR). However, she had taken no part in discussions regarding the application; therefore, she took part in the consideration of the item and voted thereon.

Councillor Pett declared a disclosable pecuniary interest due to his role as a member of the South Downs National Park Authority. However, as there was no material conflict of interest, he remained in the room, spoke and voted under the dispensation granted by the Monitoring Officer.

Councillor Small made a personal statement that she was a Ward Member in respect of item 12 - Land At Titchfield Lane Wickham Hampshire: (Ref 24/02804/FUL). However, she had taken no part in discussions regarding the application; therefore, she took part in the consideration of the item and voted thereon.

4. **MINUTES OF THE PREVIOUS MEETING.**

RESOLVED:

That the minutes of the previous meeting held on 13 August 2025 be approved and adopted.

5. **WHERE APPROPRIATE, TO ACCEPT THE UPDATE SHEET AS AN ADDENDUM TO THE REPORT**

The committee agreed to receive the Update Sheet as an addendum to the report

6. **PLANNING APPLICATIONS (WCC ITEMS 6-9) (ATTACHED REPORTS, PRESENTATIONS AND UPDATE SHEET REFERS)**

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

The committee considered the following items:

7. **PITT MANOR ROMSEY ROAD WINCHESTER HAMPSHIRE SO22 5PR (REF: 25/01208/FUL) ST LUKE**

Proposal Description: Construction of 48 dwellings, formation of access onto Kilham Lane, provision of landscaping, open space and drainage. Demolition existing buildings. Phased development.

The application was introduced. Members were referred to the update sheet which provided additional information regarding several matters including the following.

An additional condition in relation to archaeology was proposed to be added as follows:

No development or any works of site preparation (other than the necessary demolition of existing structures within the site), shall take place until the applicant or their agents or successors in title have:

- a. submitted a Written Scheme of Investigation for archaeological evaluation (trial trenching) to the location planning authority for approval in writing and;*
- b. have implemented the archaeological evaluation in full in accordance with the approved details.*

REASON: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

Further correspondence had been received (23 September 2025) from the NHS regarding healthcare contributions. This did not raise any new issues and was already addressed in the officer's report on pages 37-38.

In addition, the case officer advised that Nick Molyneux from Dixon Searle Partnership who had been instructed by the council to provide an independent assessment of the applicant's viability appraisal was in attendance to answer members questions.

It was noted that the committee had previously visited the application site to enable members to observe the site in context and to gain a better appreciation of the proposals.

During public participation, Stuart Garnett, and Andrew Simpson spoke in support of the application and answered members' questions.

The committee proceeded to ask questions and debate the application.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report and the update.

8. **3 - 4 COURT ROAD KINGS WORTHY HAMPSHIRE (REF: 25/01206/VAR): THE WORTHYS**

Proposal Description: Proposal Description: Variation of condition 2 on application 24/00914/FUL To extend the dwellings with a single storey extension to create additional space for utility, WC and boot room.

The application was introduced, and the committee proceeded to ask questions and debate the application. The committee received advice from the Legal Officer regarding the removal of permitted development rights.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report subject to the removal of Permitted Development rights (Class A only).

9. **59 TEG DOWN MEADS WINCHESTER HAMPSHIRE SO22 5NG (REF: 22/01388/FUL) ST BARNABAS**

Proposal Description: The change of use from a 6-bedroom house in multiple occupation (C4) to an 8-bedroom HMO (sui generis).

The application was introduced. Members were referred to the update sheet which provided additional information regarding an additional proposed informative as follows:

No. 5. The applicant is advised that occupants of the property should be informed of the limited parking available at the property and that information should be provided to them about alternative / sustainable transport options.

During public participation, Margaret Houlton spoke in objection to the application, and Rachel Lewis spoke in support of the application.

The committee proceeded to ask questions and debate the application and received advice from the Legal Officer concerning the conditions relating to the allowed number of occupants.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report and the update sheet.

10. **NORLANDS OTTERBOURNE ROAD COMPTON WINCHESTER HAMPSHIRE (REF: 24/02233/FUL) BADGER FARM & OLIVERS BATTERY**

Proposal Description: Application for the variation of conditions 2 and 3 of application 24/00350/HOU relating to changes to elevational finishes and dimensions of the proposed outbuilding (RETROSPECTIVE).

The application was introduced and during public participation, Leanna Cooper spoke in objection to the application, and Councillor Strange, on behalf of Compton and Shawford Parish Council spoke in objection to the application and answered members' questions.

The committee proceeded to ask questions and debate the application and received advice from the Legal Officer regarding conditions concerning lighting, colour of render and glass types.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report, and subject to three additional conditions, the final wording of which to be delegated to officers in consultation with the Chair as follows:

1. to control external lighting on the outbuilding in order to minimise the impact to neighbouring residents.
2. to require the use of a recessive render colour for the outbuilding.

3. to ensure bathroom windows are obscure glazed to protect the amenity of neighbouring residents.

11. **PLANNING APPLICATIONS (WCC ITEM 11) (REPORT, PRESENTATION AND UPDATE SHEET REFERS)**

12. **LAND AT TITCHFIELD LANE WICKHAM HAMPSHIRE: (REF 24/02804/FUL) SOUTHWICK & WICKHAM**

Proposal Description: Installation, operation and decommissioning of renewable energy generating station comprising ground-mounted photovoltaic solar arrays together with transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements. temporary permission for 40 years.

The application was introduced, and members were referred to the update sheet which provided consolidated, detailed information regarding cumulative impacts. In summary the update concluded that having regard to the points set out that cumulative impacts resulting from the solar development in combination with the nearby Ash Farm would be very modest and would reduce in the longer term to negligible. The cumulative impacts of the development had therefore been assessed and would not justify refusal in this case.

It was noted that the committee had visited parts of the application site on 23 September 2025 to enable members to observe the site in context and to gain a better appreciation of the proposals.

During public participation, Sharon Queeney, and Philip Silk spoke in support of the application, Councillor Broad, and Councillor Rappe spoke on behalf of Wickham and Knowle Parish Council, Councillor Ogden, and Councillor Byrne, spoke on behalf of Shedfield Parish Council in objection to the application and answered members' questions.

Cllr Culter spoke as a ward member and expressed several points on behalf of residents which could be summarised as follows.

1. He advised that he had direct experience of both the construction phase and of living with a solar park of a similar capacity to the one proposed.
2. It was noted that the proposal was unusual due to its many widely spread parcels of land, which made a comprehensive assessment of the land's value difficult. While some plots had limited agricultural value, others had been consistently used for crop production, and it was his belief that the outdated land classification model did not provide a realistic view of the land's inherent agricultural worth.
3. He expressed concern that the construction phase could cause disruption for up to five years due to the disparate nature of the plots, with particular reference to substantial cabling work on Titchfield Lane and the A334. He remained unconvinced that an effective traffic management plan could reduce the disruption to an acceptable level over such a long period.

4. He highlighted potential substantial cumulative effects from other concurrent developments in the area, as raised by the Parish Council.
5. Drawing on personal experience where promised biodiversity enhancements on a similar project had not materialised, he suggested a condition be applied requiring the developer to fund independent monitoring of the land management requirements for the lifetime of the development. He also assumed a bond for reinstatement would be a key condition.
6. He raised concerns about poor community engagement and questioned why a concept master plan was not required for a scheme of this scale. It was felt that there had been no substantial offer of community benefit and that an enforceable commitment to a contribution should be negotiated.

The committee proceeded to ask questions and debate the application.

RESOLVED

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the report and on the update sheet, subject to two amendments to existing conditions, the final wording of which to be delegated to officers in consultation with the Chair as follows:

1. Condition 3(A) to be amended to require the removal of all associated solar farm infrastructure, both above and below ground, at the end of the development's operational life.
2. Condition 12 to be amended to include an additional bullet point requiring the submission of a construction phasing plan for approval by the Local Planning Authority.

The meeting commenced at 9.30 am and concluded at 3.40 pm

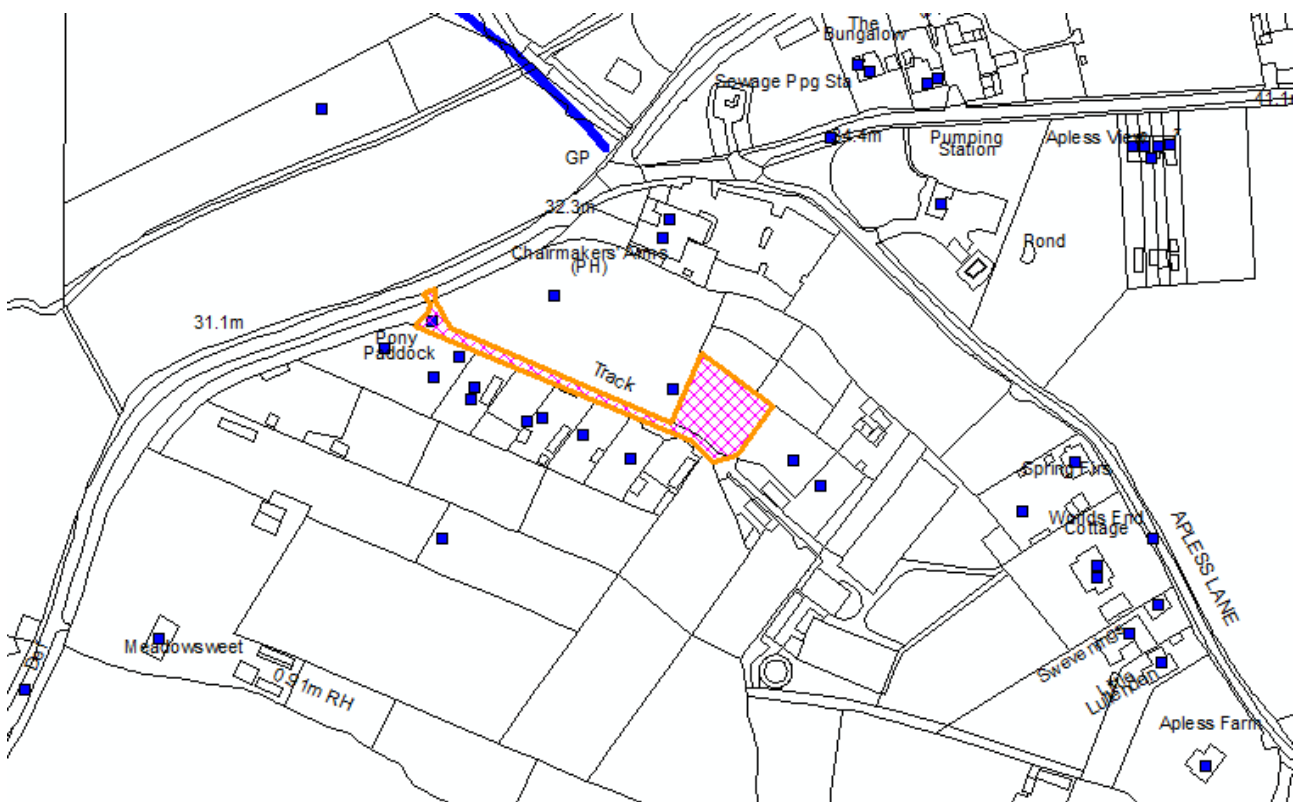
Chairperson

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 25/01078/FUL
Proposal Description: Material Change of Use of Land to a 2 Pitch Gypsy/Traveller Site comprising the siting of 1 Mobile Home, 1 Touring Caravan, and 1 Utility Room per pitch. Retention of hardstanding and fencing. (amended description)
Address: Land To The Rear Of The Chairmakers Arms Forest Road
Worlds End Hambledon
Parish: Denmead Parish Council
Applicants Name: Mr & Mrs Hilden
Case Officer: Rose Chapman
Date Valid: 28 May 2025
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

25/01078/FUL:
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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PLANNING COMMITTEE

Reasons for Recommendation

The development is recommended for permission, as it is considered that while the proposal would result in some harm in terms of landscape impact, this would be outweighed by the need for Gypsy and traveller pitches within the district.

General Comments

The application is reported to the Planning Committee due to the number of Objections received, that are contrary to the Case Officer's recommendation.

Denmead Parish Council has requested for the application be determined by the Planning Committee, based upon material planning considerations as set out below.

Amendments to Plans Negotiated

Additional information was requested in regard to the personal or cultural need to be within this area.

The applicant notified the Local Planning Authority that not all landowners had been notified of the application, and therefore proof of notification was submitted on the 14th July. The application was re-advertised for 21 days to allow additional comments to be submitted.

Site Description

The application site is located off a private track off Fareham Road outside of Denmead. The site is located in the countryside on what is originally agricultural grazing land. The application site itself is subject to enforcement action for unauthorised works to cover the site in hardstanding and introduce a caravan. The neighbouring property has recently introduced closed boarded fencing to the northern side of the access track.

The area is subject to a number of unauthorised developments located along the southern side of the access track and to the west of the application site. Prior to the unauthorised development, the character of the immediate area was rural grazing land. The wider area is rural in character with sporadic dwellings, farms and the Chairmakers Arms pub is located to the north of the application site.

Proposal

The proposal would see 2 gypsy pitches, both with a static caravan, day room and parking areas. The unauthorised hard standing and fencing would be retained.

By way of background, the application site is currently subject to an Enforcement Appeal. The Enforcement Notice was issued on the 15th May 2025 relating to the carrying out of operational works, comprising the creation of hardstanding and laying of services and drainage, enclosing the land with fencing, and the importation onto the land of hardcore, scalings or other materials used for the construction of hard standing.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

These elements are reflected within the plans as being retained as part of this application.

Relevant Planning History

22/02061/FUL – Change of use of land for the formation of 4 Gypsy/Traveller Pitches comprising the siting of 1 no. Mobile Home, and 1 No. touring Caravan, alongside the erection of 1 no. Utility Building. – refused 29.02.2024

14/00180/FUL - Use of land to provide 8 no. plots for gypsy/traveller families, 8 no. mobile homes, 8 no. touring caravans and 8 no. day rooms - 17.06.2014 appeal dismissed

17/01191/FUL - Provide 4 no. gypsy/traveller pitches – application withdrawn 29.03.2018

17/01862/FUL - 2 residential mobile homes and 2 touring caravans – application withdrawn 29.03.2018

19/02469/FUL - Creation of two Gypsy/Traveller Pitches comprising 1 Mobile Home, 1 Touring Caravan and 1 Dayroom for each pitch, and associated works. . Temporary permission until 2024 – permitted 25.03.2020

20/00510/FUL - Creation of one Gypsy/Traveller Pitches comprising 1 Mobile Home, 1 Touring Caravan and 1 Dayroom, and associated works. – application refused 07.05.2020

20/01806/FUL - Creation of one Gypsy/Traveller Pitches comprising 1 Mobile Home, 1 Touring Caravan and 1 Dayroom, and associated works. – application refused 21.10.2020 appeal refused.

Relevant Enforcement Appeals

enforcement appeal decision, (APP/L1765/C/18/3201565, App/L1765/C18/3201566, APP/L1765/C/18/3201567 and APP/L1765/C/18/3201570, 28th August 2019) regarding plots 3,4,7 and 8.

Consultations

Service Lead – Built Environment (Strategic Planning) –

- Currently the Council has 3.2 years housing land supply for Gypsies and Travellers as set out in the 2024 Authority Monitoring Report. Through the Local Plan Examination Hearings, it was demonstrated that over the lifetime of the emerging Local Plan, the Council can meet the identified requirement. This is expected to be met through the retention of those sites with existing authorised use; a new site identified in the Plan (Policy H18), the intensification and expansion of existing sites where appropriate; and new windfall sites.

Service Lead – Engineering (Drainage) -

- No comment received

Service Lead – Sustainability and Natural Environment (Ecology) –

- Further information required

Service Lead – Sustainability and Natural Environment (Landscape) –

- Objection due to impact on the rural character of the area and cumulative impacts

Service Lead – New Homes

- No objection, may require a licence should the application be permitted. Recommend and informative.

Service Lead – Public Protection (Environmental Health) –

- No objection

Natural England -

Case No: 25/01078/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- None received.

Representations:

Denmead Parish Council

After discussion, Denmead Parish Council raised a Strong Unanimous Objection due to the objections that were raised by the neighbours and that the expiry date of the plots was five years, which has now expired. It was also decided to request that the application should be heard by WCC Committee should the officer be minded to approve the application.

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

- Unauthorized works
- contrary to policy
- lack of drainage
- fly tipping
- loss of tranquillity
- Increased traffic
- Intensified use
- residential clutter
- antisocial behaviour
- unsuitable location
- Impact on landscape
- light pollution
- lack of council action
- not suitable for habitation
- access is not in applicant ownership/trespass.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2024)

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

National Planning Practice Guidance

- Appropriate assessment
- Biodiversity net gain
- Climate change
- Design: process and tools

Case No: 25/01078/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Determining a planning application
- Effective use of land
- Enforcement and post-permission matters
- Flexible options for planning permissions
- Flood risk and coastal change
- Healthy and safe communities
- Housing needs of different groups
- Housing supply and delivery
- Light pollution
- Natural environment
- Neighbourhood planning
- Noise
- Rural housing
- 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

MTRA1 – Development Strategy Market Towns and Aural Area

MTRA4 – Development in the countryside

CP5 – Sites for Gypsies, Travellers and Travelling Showpeople

CP10 – transport

CP16 – Biodiversity

CP17 - Flooding, Flood risk and the water environment

CP20 – Heritage and Landscape Character

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

DM1 – Location of New Development

DM4 – Gypsies, Travellers and travelling Showpersons

DM15 – Local Distinctiveness

DM16 – Site design Criteria

DM17 – Site Development Principles

DM23 – Rural Character

Denmead Neighbourhood Plan

1 – Spatial Strategy

Annex 1, proposal 5 – Traveller Accommodation

Emerging Local Plan 2020-2040

- Strategic Policy SP2 - Spatial Strategy and Development Principles
- Strategic Policy SP3 - Development in the Countryside
- Strategic Policy D4 - Design Principles for Market Towns and Rural Villages
- Policy T2 - Parking for New Developments
- Policy NE5 - Biodiversity
- Policy NE6 - Flooding and Flood Risk
- Policy NE9 - Landscape Character
- Policy NE14 - Rural Character

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Policy NE16 - Nutrient Neutrality Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent and The River Itchen
- Policy H12 - Provision for Gypsies, Travellers and Travelling Showpeople
- Policy H15 - Authorised New / Expanded Traveller Sites

Supplementary Planning Documents

National Design Guide 2019

High Quality Places 2015

Air Quality Supplementary Planning Document 2021

Residential Parking Standards 2009

Gypsy, Traveller and Travelling Showpeople Development Plan Document

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.

Nature Emergency Declaration.

Statement of Community Involvement 2018 and 2020

Landscape Character Assessment March 2004 and emerging LCA December 2021

Biodiversity Action Plan 2021

Waste Management Guidelines and Bin Arrangements

Position Statement on Nitrate Neutral Development – February 2020

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Regulation 19 Local Plan has been agreed by Full Council and the examination has now been completed. Therefore, the emerging policies can be given appropriate and increasing weight in the assessment of development proposals in advance of Adoption.

LPP1 Policy DS1 sets out the overarching Development Strategy for the District. Amongst various other requirements this policy states that development proposals will be expected to make efficient use of land within existing settlements and prioritise the use of previously developed land in accessible locations in accordance with the Development Strategy set out in Policies WT1, SH1 and MTRA1. This strategy is continued within the LPP2 by Policy DM1 which states that development that accords with the Development Plan will be permitted within the defined boundaries of the settlements it refers to (including Winchester). It states that outside of these areas, countryside policies will apply and only development appropriate to a countryside location will be permitted.

The application site is located outside of the settlement Boundary of Denmead where countryside policies apply.

The application site is located outside the settlement boundary of Denmead and therefore is covered by policy MTRA4. Policy MTRA4 of the LPP1 restricts development in the countryside subject to a number of justified cases. In terms of housing, this is restricted to

Case No: 25/01078/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

affordable housing exemption sites and agricultural workers dwellings that have an operational need. The current proposal has not been promoted to meet any of these justified cases and is contrary to policy MTRA4.

The 'Traveller' Development Plan Document (DPD) was adopted in February 2019. Policy TR5 of this document allows for the intensification of existing sites to accommodate an identified need, in line with policy TR7 and DM4 of the Local Plan Part 2. It is noted that the site is in close proximity to a number of unauthorised sites, however, policy TR5 allows for the intensification of existing authorised sites. The red line plan as submitted, is completely separate from the existing unauthorised pitches, so Officers are of the view that this application cannot be considered as an intensification of the existing site.

Policy DM4 of LPP2 requires that new gypsy and traveller accommodation should meet the requirements of policy CP5 and applicants should meet the definition of gypsies or travellers under Annex 1 of the Planning Policy for Traveller Sites (PPTS).

Policy CP5 of the LPP1 sets out the criteria for new pitches including:

- sites being well related to existing communities and avoid being over concentrated in any one location or disproportionate to nearby communities.

The application site is located outside of Denmead village. It is considered that the site would be well related to the existing community.

- sites should be accessible to local services such as schools, health and community facilities.

Denmead facilities are available with access to schools, healthcare and community groups.

- Avoid harmful impacts on nearby residential properties.

This is explored further under the Impacts on Residential amenity heading.

- Sites not being visually intrusive

The application site is located within an area of paddocks that is set back from the road and therefore is not readily visible in the street scene. There is an existing hedge to the western boundary of the site that would be retained.

Policy TR6 addresses sites outside of those that have a permanent or temporary permission as identified within the DPD. The policy allows for new sites to be considered provided certain criteria are met. These include:

- applicants being identified as gypsies and travellers or travelling showpeople as identified through Annex 1 of Planning Policy for Traveller Sites 2015 or subsequent revision;

A statement has been provided detailing that the applicants/future occupiers meet the definition under Annex 1 of the PPTS. The PPTS definition of Gypsies and Travellers has also been updated (December 2023) to include settled status following the Smith Judgement. It is considered that the applicants/future occupiers would meet this definition.

- Can identify a personal or cultural need to be in the area;

The applicants have demonstrated that there is a personal need to be in the area to support nearby family members.

- There is a lack of other suitable accommodation.

The statement submitted with the application indicates that the applicants have been looking for a site for some time within the area and have not been successful.

Policy TR7 sets out the requirements of new pitches and plots in regard to Access and Parking, Environmental impacts and General provisions.

Case No: 25/01078/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The Winchester Gypsy and Traveller Accommodation Assessment (2022) has identified a need for gypsy and traveller and travelling showpeople accommodation for the period 2022-2038.

The 2024 Authority Monitoring Report (AMR) sets out the most recent 5 year position on gypsy and traveller and travelling showpeople needs and supply. It sets out a position as of 2024 and takes into account unmet needs remaining since the publication of the GTAA in 2022.

The position as of 2024 is as follows:

Calculation	Gypsy & Travellers	Travelling Showpeople
a. 2024-2029 requirement (2022-2026 requirement from table above + 3/5ths of 2027-2031 requirement)	60	25
b. Completions 2022-2024	0	0
c. Remaining 5 year requirement 2024-2029 (a-b)	60	25
d. Supply 2024 – 2029	38	15
e. Years pitch / plot supply	3.2	3.0

It is acknowledged that it is not currently possible for the Local Plan to demonstrate a deliverable 5-year supply of gypsy traveller pitches or showpersons' plots. As such, paragraph 11(d) of the NPPF is engaged. This paragraph requires that, where policy is out of date or silent, permission should be granted unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The policies referred to are those in the Framework (rather than those in development plans) relating to:

- a) habitats sites (and those sites listed in paragraph 189) and/or

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- b) designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast;
- c) irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and
- d) areas at risk of flooding or coastal change.

These requirements are assessed in turn under the relevant headings below.

The Denmead Neighbourhood Plan Annex 1 proposal 5 states that development of two new sites for travellers accommodation would be supported provided that:

- I. Each pitch is a self-contained site of no more than two or three pitches or plots;
- II. Are located on land in close proximity to the settled traveller community in Old Mill Lane and adjacent to the existing site at West Fork in Bunns Lane and;
- III. Will accord with all the relevant policies of the Neighbourhood Plan and the Winchester Development Plan.

In this case, the application is for 2 pitches and would be self-contained. Therefore, part I of the policy is met. The application site is located approximately 800m from the existing lawful site at Bunns Lane, therefore criterion 2 is met. Criterion 3 is assessed under the headings below. However, it should be noted that this is not an adopted policy within the Neighbourhood Plan.

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 the character and appearance of the area

The wider area around the application site is considered to be rural with sporadic residential development and the Chairmakers Public House is located to the north. However, there are a number of unauthorised developments in the immediate vicinity of the site.

Policy DM23 requires that development within the countryside avoids visual and physical impacts, as well as the loss of tranquillity. Policy CP5 requires that development should not be unduly intrusive and avoids the introduction of incongruous features.

The proposal would retain the unauthorised hardstanding and fencing and would introduce 2 static caravans, travelling caravans and other associated development. In order to fully understand the harm generated by the application, it is considered appropriate to examine the previous assessments made by Planning Inspectors.

In July 2015, Appeal Decision (APP/L1765/A/14/2224363), which dismissed the principle of allowing 8 plots, the 9th October 2019 Appeal decision (APP/L1765/C/18/3201565), which granted a temporary 5 year permission for 3 separate plots on this site, and the most recent 30th September 2022 Appeal Decision (APP/L1765/W/20/3262560), which dismissed the proposal for a change of use to one gypsy/traveller pitch on Plot 2, all considered one of the main issues to be the effect of the proposals on the character and appearance of the surrounding countryside.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

In the 2015 Appeal, the Inspector concluded that the proposal for 8 plots would significantly detract from the tranquillity of the locality by reason of noise, general activity, vehicle movements and lighting.

In the 2019 Appeal, the Inspector dealt, at some length, with these impacts in paragraphs 19 to 34 and found significant harm on this issue. In particular, he made reference to the amount of vehicles and traffic, the impact of more noise from children and dogs, and the introduction of more lighting on the tranquil rural surroundings. Each development, he observed, both individually and collectively, has a significant adverse effect on the character and appearance of the surrounding area, contrary to LP Policy DM23.

In the 2022 Appeal, the Inspector found the effect on the character and appearance of the area of countryside to be a main issue and found that overall, on this issue “I find that even taking account of potential new landscaping and enhancement of the land to the north (previously known as plot 1) the proposed residential caravan pitch would harm the character and appearance of the surrounding area of countryside and would not accord with the provisions of Policy DM23. Moreover, it would be unduly intrusive in the general landscape and so conflict with the specific criterion set out in Policy CP5”.

In particular, on the question of impacts on tranquillity he said that “Although the proposed site would not make much difference to the comings and goings and light spillage associated with the other gypsy/traveller pitches, judged on its own and on a permanent basis I find that the trappings of the use proposed would be at odds with the characteristics of the relative remoteness of this rural area, taking account of the presence of The Chairmakers Arms which I noted at the site visit. This office is in total agreement with these findings and consider them to be as relevant to this particular application as to the historic ones.”

The wider site has been subject to a number of Appeals, all of which have highlighted the impact of development on the rural character of the area. Specifically, the impact on tranquillity has been highlighted, additional noise, vehicle movements, lighting and general residential activity that is incongruous to the rural character of the area.

The Winchester Landscape Character Assessment places the application site within the Mixed Farmland and Woodland Landscape type that is valued for its seclusion and tranquillity (page 42). The application site is located within the Forest of Bere Lowlands Landscape Character Area’ which has ‘an ancient character, retaining historic landscape features and a network of winding narrow lanes. Apart from at the access point along the relatively narrow and winding Fareham Road, the Appeal Site no longer displays those key characteristics, due to the unauthorised works that have taken place.

Overall, the associated noise, light and vehicle movements etc. will cumulatively add to the suburbanisation of this small hamlet and will unacceptably harm its secluded and tranquil rural character still further.

Therefore, the proposal fails to comply with policies CP5 and DM23.

Policy TR7 sets out the environmental requirements for potential new pitches:

- avoid boundary treatment that has a detrimental visual impact on the character of the site and locality

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- provide landscaping to reinforce the boundary of the site and to provide screening of views into/out of the site
- provide an area of open space within the site for safe children's play, located to avoid conflict with vehicles on the site
- contribute to the Solent Recreation Mitigation Strategy where required
- ensure that the site and the layout proposed on it would not cause harm to the significance or setting of heritage assets or biodiversity interests.

In addition to these criteria, the general provisions require minimal external lighting.

The application includes the retention of the fencing that has been erected. This is close-boarded fencing that would not normally be considered acceptable in a rural location, however, the neighbouring landowner has introduced 2m closed boarded fencing adjacent to the site under permitted development rights. It is therefore considered that the installed fencing is acceptable in this instance, given the immediate context.

There is existing hedge/tree planting along the north western boundary of the site that would be retained. No other planting has been proposed, however, it is considered that a condition can secure additional planting to provide additional screening, especially along the north eastern boundary.

The proposal does not include amenity areas for children. As such, the proposal would not meet this criteria of TR7. However, it is considered that a site development scheme could be conditioned to agree the final layout of the site to include amenity/child's play areas.

The application site is located outside of the 5.6km buffer for the Solent Recreation Mitigation Partnership.

The proposal includes two utility buildings separate to the proposed static caravans. No details of these buildings have been submitted, however, it is considered that details could be secured for these structures to be submitted prior to continued development of the site, and an appropriate condition is recommended.

Development affecting the South Downs National Park

The application site is located 1.8km 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 2024. 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.

In terms of the NPPF paragraph 189 (identified within paragraph 11(d)) specifies that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

cultural heritage are also important considerations in these areas and should be given great weight in National Parks. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified. As such, the proposal would comply with paragraph 189 of the NPPF.

Historic Environment

The works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

The site is not located within a Heritage coastline, as per the NPPF. In addition, the site is not located in close proximity to any Non-designated Heritage Assets, as highlighted in footnote 75 of the NPPF.

As such, the proposal complies with relevant paragraphs of the NPPF, Policy DM29 & DM32 Local Plan Part 2 and Policy CP20 of the Winchester District Joint Core Strategy.

Neighbouring amenity

The proposed development would be approximately 50m from the nearest residential neighbour. Given the limited form of development, it is not considered that the proposal would result in overlooking, overbearing or loss of light.

A number of concerns have been raised in regard to neighbouring amenities, specifically, noise. Though antisocial behaviour is not a material planning consideration. It is noted that the majority of these issues have been raised in regard to the unauthorised development in the immediate area of the application site rather than the application site itself. While it is noted that the proposal would result in a residential use, this is not considered to result in harmful noise levels.

Therefore, the proposal complies with policies DM15, DM16 and DM17.

Sustainable Transport

Policy TR7 requires that potential new sites demonstrate the following:

- provide safe vehicle and pedestrian access from the site to the highway
- ensure that there is sufficient turning space within the site to allow for safe vehicular movement
- minimise conflict between pedestrians and vehicles on site
- no vehicle over 3.5 tonnes shall be stationed, parked or stored on site, unless necessary for the use of a travelling showpersons site.

The application site benefits from an existing private shared access. The site is large enough to accommodate a touring caravan and 2 cars off the road per pitch. There is sufficient space to manoeuvre these vehicles on the pitches. Conditions can be used to secure the size of the vehicles allowed on the pitches.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Concerns have been raised in regard to the increased traffic that would be generated. It is considered that the proposal would generate 2 additional households and therefore the additional traffic generated would be minimal and therefore would not result in harm to highways users.

Therefore, the proposal complies with policy TR6, TR7, CP5, CP10 and DM18.

Ecology and Biodiversity

Paragraph 193 of the NPPF requires Local Authorities to apply the following principles when determining an application:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

The application site is located within an agricultural area, however, the application is partially retrospective and no ecological information has been submitted. As such, it is not possible to assess the impact of the removal of agricultural land in terms of ecological impacts. The site historically has been used for grazing horses and therefore it is unlikely that the site would be suitable for protected species.

As the application is partially retrospective, it is not subject to BNG, however it is considered that it should be demonstrated that additional enhancements should be provided and this is secured via condition.

Therefore, the proposal complies with policy CP16, TR7 and CP5 and Paragraph 193 of the NPPF.

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 2.36 Kg/N/year 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.

Case No: 25/01078/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The Authority's Appropriate Assessment is that the application, coupled with a mitigation package secured by way of a Grampian condition (2), complies with this strategy and would result in nitrate 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 (2023).

Under Reg 63(4) of the Habitats Regulations, the Council considers that is not appropriate, to take the opinion of the general public, and have not therefore further advertised the Appropriate Assessment.

Sustainable Drainage

The application site is located within Flood Zone 1 and therefore is at low risk of flooding from rivers and sea. No details have been submitted in regard to surface or foul drainage, and therefore a condition to secure details prior to further development has been recommended.

Therefore, the proposal complies with policy CP17, DM15 and DM17.

Trees

There is a row of trees along the north west boundary of the site. These are proposed to be retained. The site plan indicates that the pitches would be located outside of the RPA of the trees. Due to the distance, it is not considered that there will be an adverse impact on the trees during construction or the long-term use of the development.

The proposal will therefore comply with policy DM24.

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 application would result in 2 gypsy pitches outside of the settlement boundary of Denmead. It is acknowledged that the Council cannot demonstrate a 5 year land supply for gypsy and traveller sites and therefore paragraph 11(d) of the NPPF is engaged.

As set out above, Officers consider that the proposals would not result in harm to neighbouring amenities, trees or highways users. Whilst no information has been included regarding ecology or drainage, it is considered that ecological benefits and drainage information can be secured via planning conditions.

Case No: 25/01078/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

It is considered that the application would result in harm to the rural character of the area, particularly in regard to resultant noise levels, light pollution and vehicular movements, which would cumulatively add to the suburbanisation of this small hamlet and would harm its secluded and tranquil rural character. Furthermore, the site fails to meet policies TR7 and CP5 as a whole.

Notwithstanding the landscape harm identified, it is important to consider that the Council acknowledges the lack of supply of available gypsy and traveller sites at the present time, and that there is a need for windfall development to meet the identified need. On balance, Officers consider that the landscape harm identified is outweighed by the need to provide additional Gypsy and Traveller pitches, and the application is therefore recommended for approval.

Recommendation

That the application be Granted subject to the following conditions:

Conditions

1. Within 3 months of the date of this Decision, details shall be submitted to the Local Planning Authority for the approval of:
 - a) the internal layout of the site, hereafter referred to as the Site Development Scheme (SDS), including the siting of the approved caravans, utility buildings play area, vehicular parking and manoeuvring areas;
 - b) Elevations of the approved static caravans and utility buildings including finishing materials
 - c) fencing and other means of enclosure, hard and soft landscaping; any storage provision and its location;
 - d) foul and surface water drainage. The information shall include details of the design, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and provides a management and maintenance plan for the lifetime of the development to secure the operation of the scheme throughout its lifetime.

Prior to the occupation of the site the surface water drainage works shall be carried out and shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

- e) Biodiversity enhancement plan.

The development shall be carried out in accordance with the approved details. The works shall be carried out before the first occupation 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, plant or specific biodiversity enhancement is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree, plant or biodiversity enhancement of the same specification as that originally approved shall be implemented at the same place, within the next planting

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

season or breeding season, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interest of the amenities of the area and to prevent flooding.

2. 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.

3. The site shall not be occupied by any person other than gypsies and travellers as defined in Annex 1 of the Planning Policy for Traveller Sites.

Reason: The site is situated outside of a defined settlement boundary within a countryside location where new residential development would not normally be permitted. This proposal is an exception to countryside policy having regard to the needs and circumstances of Gypsy & Travellers.

4. No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) shall be stationed on the site at any time of which no more than 2 shall be static caravans/mobile homes.

Reason: To define the extent of this planning permission and to prevent more intensive use of the site.

5. No commercial activities shall take place on the land, including the storage of materials.

Reason: To protect neighbouring amenities and the character of the countryside

Case No: 25/01078/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

6. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

Reason: To protect neighbouring amenities and the character of the countryside.

7. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the extension hereby permitted. The information shall include a layout plan with beam orientation, and schedule of equipment in the design (lumen type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details. The lighting shall not be switched on between the hours of 10pm and 7am.

Reason: To protect the neighbouring amenities; and to ensure that the ecological value of the site is not adversely impacted upon by the development.

Informatives:

1. This permission is granted for the following reasons:

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

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

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

Local Plan Part 2: DM1, DM15, DM16, DM17, DM18, DM24

3. In accordance with paragraph 39 of the NPPF, Winchester City Council (WCC) takes a positive and proactive approach to development proposals focused on solutions. WCC works with applicants/agents in a positive and proactive manner by;

-offering a pre-application advice service and,

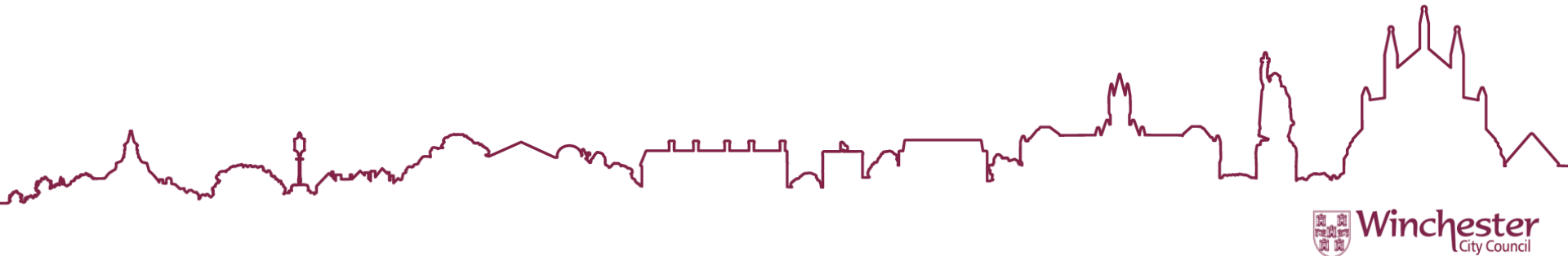
-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

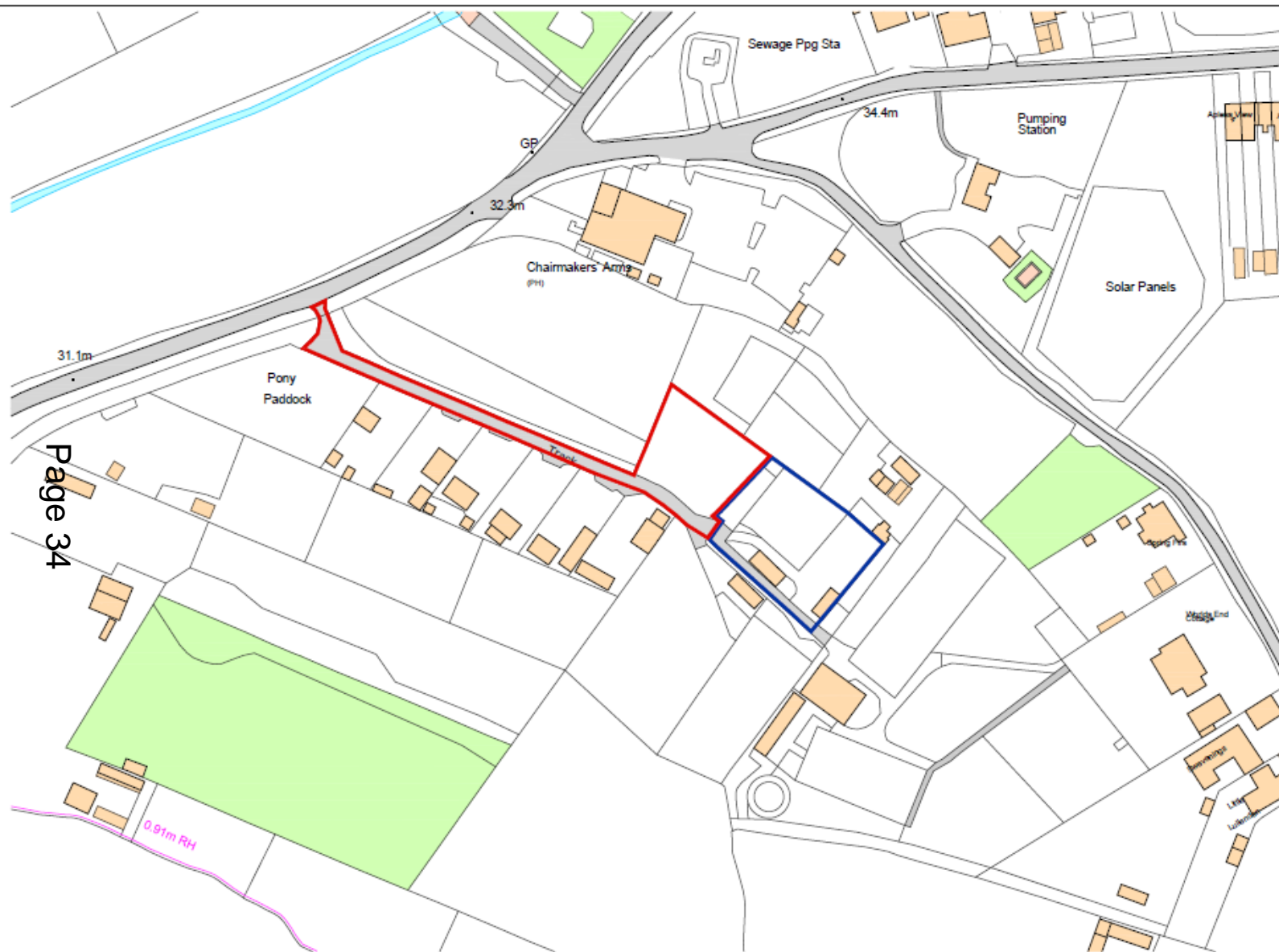
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25/01078/FUL

Land To The Rear Of The Chairmakers Arms, Hambledon, Hampshire

Material Change of Use of Land to a 2 Pitch Gypsy/Traveller Site comprising the siting of 1 Mobile Home, 1 Touring Caravan, and 1 Utility Room per pitch. Retention of hardstanding and fencing.





Drawn	Issue/Revision
 WS PLANNING & ARCHITECTURE 10000 Highway 50 Suite 100 Houston, TX 77055 Tel: 281-415-1111 Fax: 281-415-1112 Email: info@wsplanning.com Website: www.wsplanning.com	
Project Name	Project No.
May 2025	KA
1:1250@A3	BW
Prepared by Pony Paddocks	
Land at Pony Paddocks East of Fareham Road Hambledon, PO7 4XQ	
Title Site Location Plan	
Drawn No.	Issue
J005306-DD-01	



Do not scale from this drawing, except for planning purposes.
Any dimensions are to be reported to WS Planning & Architecture.
Refer to Structural Engineers details for structural design criteria.
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3m High Hedge

2m Closeboard Fence

Gravel

Entrance Gate

1.5m Closeboard Fence

Entrance Gate

Page 36

Date	Description
15/05/2025	As Existing Site Plan
WS PLANNING & ARCHITECTURE 1. 01253 488100 2. 01253 488101 3. 01253 488102 4. 01253 488103 5. 01253 488104 6. 01253 488105 7. 01253 488106 8. 01253 488107 9. 01253 488108 10. 01253 488109 11. 01253 488110 12. 01253 488111 13. 01253 488112 14. 01253 488113 15. 01253 488114 16. 01253 488115 17. 01253 488116 18. 01253 488117 19. 01253 488118 20. 01253 488119 21. 01253 488120 22. 01253 488121 23. 01253 488122 24. 01253 488123 25. 01253 488124 26. 01253 488125 27. 01253 488126 28. 01253 488127 29. 01253 488128 30. 01253 488129 31. 01253 488130 32. 01253 488131 33. 01253 488132 34. 01253 488133 35. 01253 488134 36. 01253 488135 37. 01253 488136 38. 01253 488137 39. 01253 488138 40. 01253 488139 41. 01253 488140 42. 01253 488141 43. 01253 488142 44. 01253 488143 45. 01253 488144 46. 01253 488145 47. 01253 488146 48. 01253 488147 49. 01253 488148 50. 01253 488149 51. 01253 488150 52. 01253 488151 53. 01253 488152 54. 01253 488153 55. 01253 488154 56. 01253 488155 57. 01253 488156 58. 01253 488157 59. 01253 488158 60. 01253 488159 61. 01253 488160 62. 01253 488161 63. 01253 488162 64. 01253 488163 65. 01253 488164 66. 01253 488165 67. 01253 488166 68. 01253 488167 69. 01253 488168 70. 01253 488169 71. 01253 488170 72. 01253 488171 73. 01253 488172 74. 01253 488173 75. 01253 488174 76. 01253 488175 77. 01253 488176 78. 01253 488177 79. 01253 488178 80. 01253 488179 81. 01253 488180 82. 01253 488181 83. 01253 488182 84. 01253 488183 85. 01253 488184 86. 01253 488185 87. 01253 488186 88. 01253 488187 89. 01253 488188 90. 01253 488189 91. 01253 488190 92. 01253 488191 93. 01253 488192 94. 01253 488193 95. 01253 488194 96. 01253 488195 97. 01253 488196 98. 01253 488197 99. 01253 488198 100. 01253 488199	
Project No	005306-DD-03
Client	Pony Paddocks
Location	Land at Pony Paddocks East of Fareham Road Hambledon, PO7 4QX
Scale	1:200@A3
Author	KA
Checker	BW
Date	May 2025
As Existing Site Plan	
Project No	005306-DD-03



As Existing Site Plan

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Page 37

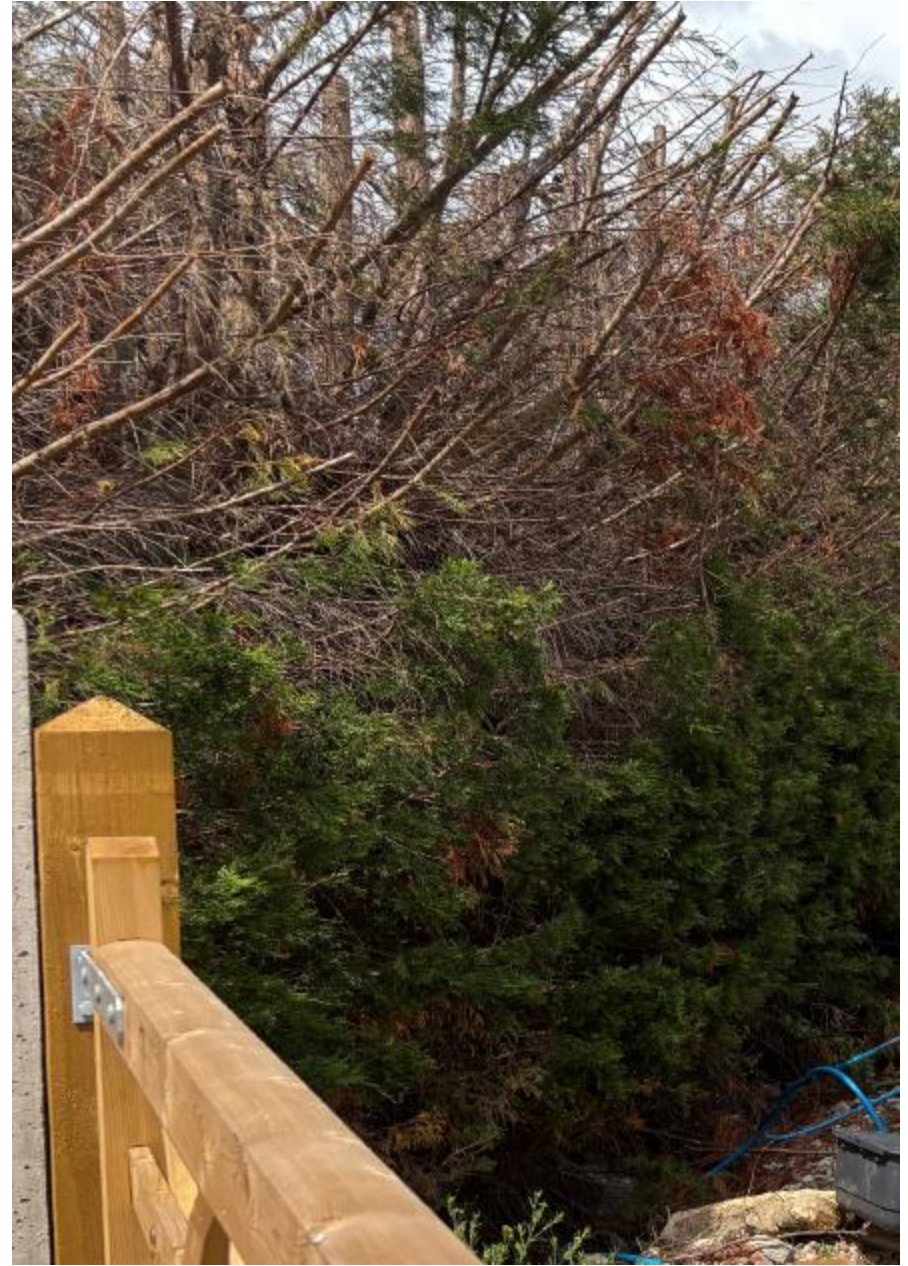
As Proposed Site Plan



Rev	Date	Description
1	May 2025	KA
2	1:250@A3	BW
Pony Paddocks		
Land at Pony Paddocks East of Fareham Road Hambledon, PO7 4QX		
As Proposed Site Plan		
Drawn By	JMS	
J005306-DD-05		







RECOMMENDATION - PERMIT

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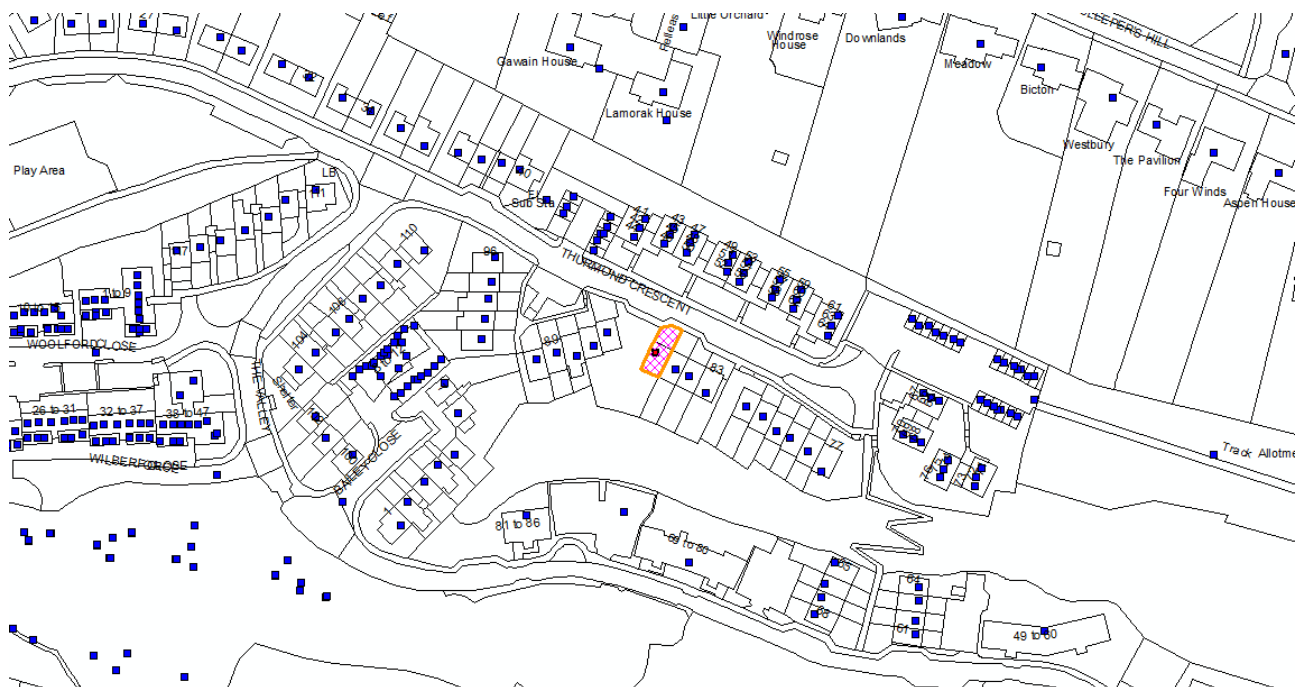
WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No:	25/01617/FUL
Proposal Description:	Change of use of 86 Thurmond Crescent from its current classification under Use Class C4 (House in Multiple Occupation) to Use Class C2 (Residential Institution). The proposed change will facilitate the establishment of a small childrens residential care home.
Address:	86 Thurmond Crescent Winchester Hampshire SO22 4DH
Parish, or Ward if within Winchester City:	St Luke
Applicants Name:	Ifeoma Ozoemena
Case Officer:	Ethan Townsend
Date Valid:	21 August 2025
Recommendation:	Approve with conditions
Pre Application Advice	No

Link to Planning Documents

[Link to page – enter in reference number 25/01617/FUL](#)

<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 contributes to the variety of housing options available in the district in accordance with policy CP2 of the LPP1, and it will not have an adverse impact on the character of the area in accordance with policies DM15 and DM16 of the LPP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

Case No: 25/01617/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

The application site comprises an end of terrace two-storey dwellinghouse which consists of buff mixed brick and a tiled roof. The building is currently used as a four-bedroom house of multiple occupancy (HMO). The dwelling is set at a slightly lower ground level than the road. The site has a small front garden with steps leading down from the road to the dwellinghouse. The site is located on the southern side of Thurmond Crescent, amongst other small terraces of houses that share a similar design and form. On the northern side of the road lies blocks of flatted accommodation.

Proposal

Permission is sought for a change of use from a House of Multiple Occupancy (Use Class C4) to a home for the accommodation and care of children (Use Class C2). The building would host three children aged 9 to 17.

Relevant Planning History

None relevant.

Consultations

Service Lead – Public Protection (Environmental Health) – No objection

- No adverse comments

Hampshire County Council (Childcare Development) –No comments

Representations:

City of Winchester Trust (neither object nor support):

- Share concern over whether property is suitable due to impact on neighbours

12 Objecting Representations received, 8 from different addresses within the Winchester district citing the following material planning reasons:

- Not suitable for the area
- Unsuitable location due to lack of access to public transport and facilities
- The proposed use would be an overly intensive use for the site
- Impacts upon neighbouring amenity through increased noise and disturbance
- Proposal will increase vehicular movements and parking pressures
- Compromises the residential character of the area
- Concerns over antisocial behaviour

Case No: 25/01617/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Impact on wellbeing

2 Supporting Representations received from different addresses citing the following material planning reasons:

- Provides a safe space and home for children

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

- 2. Achieving sustainable development
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 12. Achieving well-designed places

National Planning Practice Guidance

Biodiversity net gain
Effective use of land
Healthy and safe communities
Housing needs of different groups
Noise
Use of planning conditions

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

- CP1 – Housing Provision
- CP2 – Housing Provision and Mix
- CP10 – Transport
- CP13 – High Quality Design
- CP14 – The Effective Use of Land
- CP17 – Flooding, Flood Risk, and the Water Environment

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

- WIN8 – Stanmore
- DM1 – Location of New Development
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM20 – Development and Noise

Emerging Local Plan 2020-2040

- Policy D1 – High Quality, Well Designed and Inclusive Places
- Policy T2 – Parking for New Developments
- Policy H1 - Housing Provision
- Policy H4 – Development Within Settlements
- Policy H5 – Meeting Housing Needs
- Policy H10 - Houses in Multiple Occupation (HMOs)

Supplementary Planning Document

Case No: 25/01617/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

National Design Guide 2019
High Quality Places 2015
Air Quality Supplementary Planning Document 2021
Residential Parking Standards 2009

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Nature Emergency Declaration.
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 48 of the National Planning Policy Framework (2024) require that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Regulation 19 Local Plan has been agreed by Full Council and the examination has now been completed. Therefore, the emerging policies can be given appropriate and increasing weight in the assessment of development proposals in advance of Adoption.

There is no specific policy relating to children's care homes within the Local Plan. Notwithstanding this, policy CP2 (Housing Provision and Mix) of the LPP1 supports the creation of a mixed and balanced community and identifies that development should meet a range of community housing needs. The policy specifically requires most homes to be 2/3 bed houses; however, the property is currently an authorised 4-bedroom HMO, so there is no policy conflict. The need to consider different housing needs is also reflected in paragraph 63 of the NPPF (2024) where it states that planning decisions should account for the size, type, and tenure of housing needed for different groups in the community.

Paragraph 6 of the NPPF (2024) sets out that other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements. In the Ministerial Statement (23rd May 2023), 'Planning for accommodation for looked after children', the need for and importance of children's homes across the country was recognised and it clearly states that 'the planning system should not be a barrier to providing homes for the most vulnerable children in society... we expect local planning authorities to support these vital developments where appropriate, to ensure that children in need of accommodation are provided for in their communities'.

The information accompanying this application identifies that the property would be occupied by a maximum of 3 children, aged between 9 to 17 years. There is a general need for this type of accommodation within Winchester. The application site is within the city's defined settlement boundary where the principle of development such as that proposed is acceptable.

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.

Case No: 25/01617/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Impact on character and appearance of area

The Town and Country Planning (Use Classes) (Amendment) Order 2005 (as amended) distinguishes a range of uses of buildings and specifically permits changes of use from one use to another within individual classes. Where activity results in a material change of use of a building to a use falling within a different use class then planning permission will be required to authorise that change of use. A children's care home will fall into a C2 use classification.

Although children's homes are predominantly operated on a commercial basis, as the primary use is for residential purposes, they are appropriate uses for a residential area. Whilst the change of use would allow for occupation by up to three children, along with associated members of staff, the use would still have many similarities to a normal family home (C3 use class) or a student house of multiple occupation (C4 use class), in that the children residing there would have their own private bedrooms, continue to go to school (if able to) and partake in group activities both within and outside of the home. The level of comings and goings associated, while different in nature with more visitors likely during working hours is considered to be comparable to the current use as a 4-bed HMO.

Having reviewed the type of residential properties and accommodation within the surrounding area, the proposal would not lead to an undue concentration of children's homes on this street and in surrounding area.

The proposal does not involve any external changes to the building. Therefore, the building would continue to appear as a dwellinghouse, and its character will remain compatible with other properties in the area. As such, the proposal would comply with policies DM15 and DM16 of the Local Plan Part 2 (LPP2), which seek to ensure that development respects the character and appearance of the surrounding area.

Development affecting the South Downs National Park

The application site is located 1.3 km 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 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 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 distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

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

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.

Case No: 25/01617/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Neighbouring amenity

Policy DM17 of the LPP2 identifies Site Development Principles that must be followed, including that the proposal must not have an unacceptable adverse impact on adjoining land or neighbouring amenities by reasons of overlooking, overshadowing or overbearing, or any other adverse impact to primary amenity spaces. The proposal only seeks the change of use from a HMO to a children's home. Given the lack of any operational development, and presence of existing windows, there would be no additional overlooking, overbearing or overshadowing impact.

Comments have been received regarding the potential for the change of use to result in increased noise and disruption. It should be noted that the officer's assessment should be made on the assumption that residents will behave reasonably. In addition, it is acknowledged that the existing building is a four-bedroom HMO which carries with it its own level of noise. The proposal is modest in scale, seeking consent to host three children (which is secured by condition 2). Staff are on site to supervise and manage the behaviour of the children in their care 24 hours a day. Therefore, an element of supervision would likely reduce the risk of any anti-social behaviour and associated noise impacts on the amenity of neighbouring properties and that of the wider area.

Notwithstanding the above, noise complaints can also be enforced under separate legislation to control statutory noise nuisance. Furthermore, the strict safeguarding requirements of Ofsted as the regulatory authority for children's care institutions would further ensure that the resident children are supervised appropriately and the potential for noise and disruption can therefore be suitably managed.

The Authority's Environmental Health team have been consulted on the application and have not raised any concerns regarding potential for proposal to result in adverse noise.

In conclusion, given the modest scale of the proposal (for three looked-after children), it does not follow that the proposed C2 use would result in a material increase in noise levels compared to the current use as a four-bedroom HMO. In light of the above, the proposal is considered to comply with policy DM17 of the LPP2.

Sustainable Transport

The application site is located on Thurmond Crescent, within the settlement boundary of Winchester. The site itself has no parking provision. There is on-street parking available to the front of the site. Numerous comments have been raised regarding the potential for the change of use to increase traffic and parking.

Paragraph 116 of the NPPF (2024) sets out 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

The application dwelling will be occupied by three resident children and a carer. The children in care will not be driving. The children's home will operate with three staff on rotation. It is likely that there would be a modest increase in trips generated by the movement of carers, specifically during working hours, however, this would have a degree of similarity to that of a household and/or HMO.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The Authority do not have any specific parking standards for C2 children's homes. The residential parking standards (for C3 dwellinghouses) require a 4-bedroom property to provide three parking spaces albeit it notes in areas of higher accessibility, car parking may be provided to a lower standard. The application site currently operates as a four-bedroom HMO with multiple individual tenants each with their own vehicle. Whilst the site does not provide any parking, there is on-street parking available, and it is considered that the proposal would not result in a greater demand for parking in comparison to the current use.

The site is situated in a sustainable location being close to local facilities on Wavell Way, and within walking distance of primary and secondary schools. There are bus stops along Stanmore Lane which are within walking distance from the site. Owing to the sustainable location of the site, and the level of activity/parking associated with existing use, the proposal would not lead to an adverse impact on the highway network. Therefore, the proposal complies with policy DM18 of the LPP2.

Ecology and Biodiversity

Due to the nature of the development, the proposal will not have an impact upon Nationally Protected Site of the Solent SAC and SPA and the River Itchen SAC. The proposed development does not result in a net gain in the number of residential units on site. It results in a change of use from four-bedroom HMO to a four-bedroom C2 children's home (1 for staff and 3 for children). Therefore, the number of occupiers on site remains the same. As such, the proposal is not considered to have a significant effect upon European designated sites. Therefore, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

Biodiversity net gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). As such, planning applications (unless exempt) received on or after 2 April 2024, are required to provide a 10% Biodiversity Net Gain. Based on the information available, one of the statutory exemptions set out under The Biodiversity Gain Requirements (Exemptions) Regulations 2024 applies. Section 4 of this regulation sets out that de minimis development is exempt, which is defined as a development proposal that impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero. The proposed development would involve change of use of the site and would not involve any external alterations. As such, it would comply with the de minimis exemption.

Sustainable Drainage

The proposal does not involve any external changes to the property. Therefore, there would be no impact upon flood risk or drainage network. Therefore, the proposal complies with policy CP17 of the LPP1.

Other Topics – Other Legislation

This application standards to be assessed under the Town and Country Planning Act 1990 (as amended). There is other legislation in place which regulates children's homes. Section 11 of the Care Standards Act 2000, and the Children's Homes (England) Regulations 2015 require children's homes to be registered with Ofsted.

Comments have been received on this application regarding the suitability of the development due to proximity to criminal activity, and proximity to other environmental

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

hazards (i.e. railway line). For children's homes, Ofsted require a location assessment to be carried out which will address safeguarding concerns for the resident children.

It is considered that Ofsted's registration process is able to fully address the suitability of a premises for the resident children from a safeguarding perspective. These issues therefore are not regarded as material planning considerations in the determination of this planning application.

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 provision of a children's care home is acceptable in principle, and the proposal would contribute to the variety of housing options available in the city including vulnerable residents requiring extra assistance and support. Having regard to the written ministerial statement of May 2023 significant weight must be attached to the benefit of providing accommodation for looked-after children.

It is acknowledged that the proposal does not provide any on-site parking, however, the existing dwelling is used as a four-bedroom HMO with no parking provision. Given that the site is in a sustainable location (with access to public transport and the provision of street parking) and considering the level of activity and parking associated with the existing use, a reason for refusal could not be sustained on parking and highway grounds as adverse harm cannot be demonstrated.

The proposal is capable of being accommodated without causing adverse harm to the character and appearance of the area and neighbouring amenity.

Recommendation

That the application be Granted 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).

General Restrictions

2. The development hereby approved shall be limited to a children's home that will offer accommodation for up to 3 children and their required carers/support staff and for no other purposes including any other purpose within Use Class C2.

Case No: 25/01617/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reason: For the avoidance of doubt and to ensure the development is carried out on the basis of the information submitted, considered and approved.

Informatives:

1. In accordance with paragraph 39 of the NPPF (December 2024), Winchester City Council (WCC) takes a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- * Offer a pre-application advice service; and
- * Update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions

In this instance

- * a site meeting was carried out with the applicant
- * the application was acceptable as submitted and no modification or further assistance was required
- * the application was considered by the Planning Committee where the applicant had the opportunity to speak to the Committee and promote the application

2. 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.

3. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:

- The Development is below the de minimis threshold.

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86 Thurmond Crescent, Winchester, Hampshire, SO22 4DH

Change of use of 86 Thurmond Crescent from its current classification under Use Class C4 (House in Multiple Occupation) to Use Class C2 (Residential Institution). The proposed change will facilitate the establishment of a small children's residential care home.

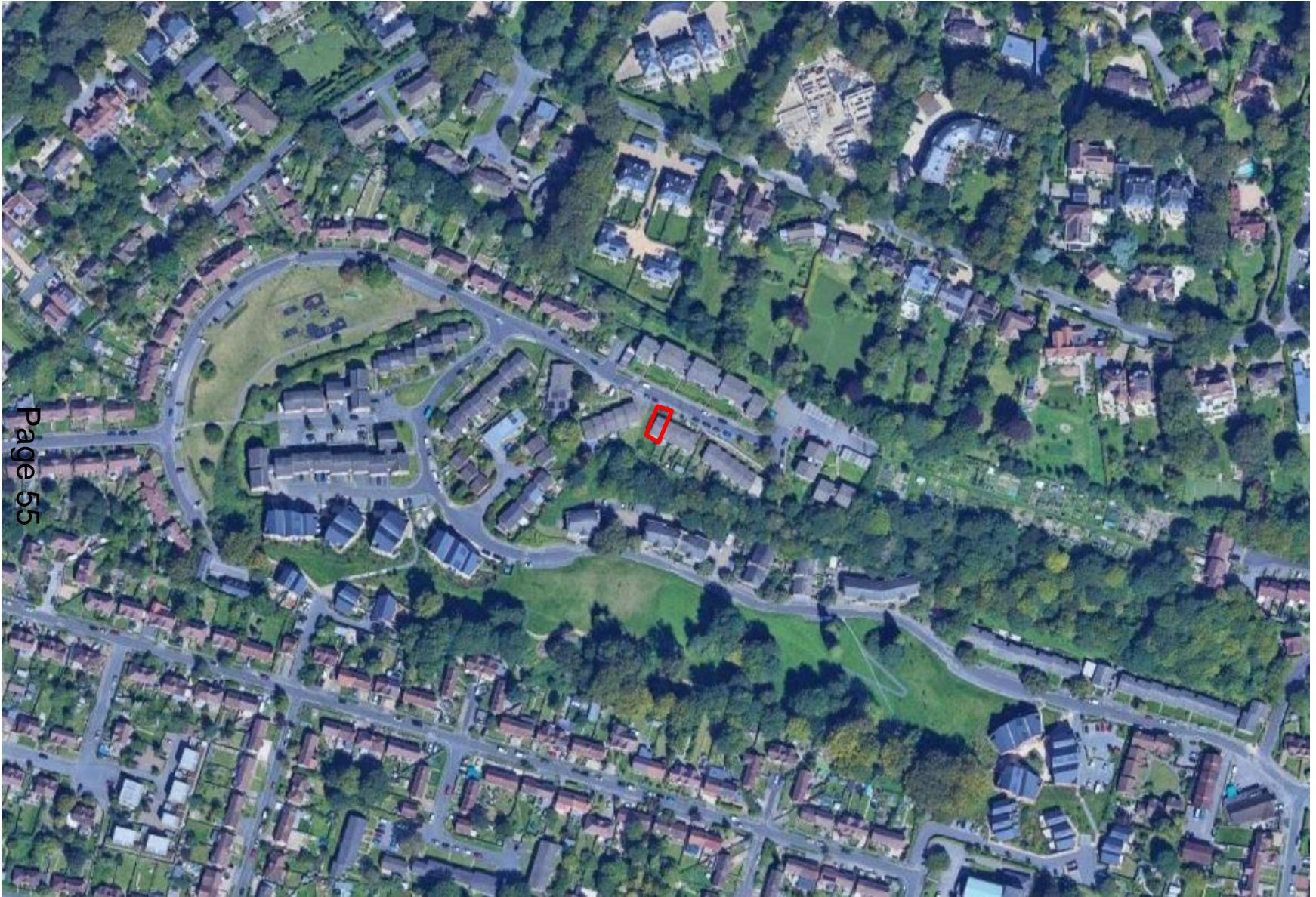
Application Number: 25/01617/FUL



Location Plan



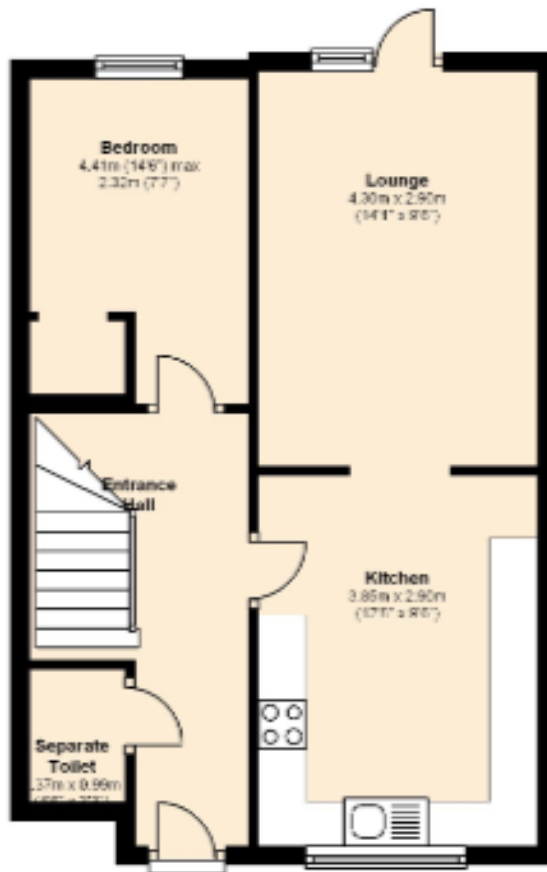
Aerial



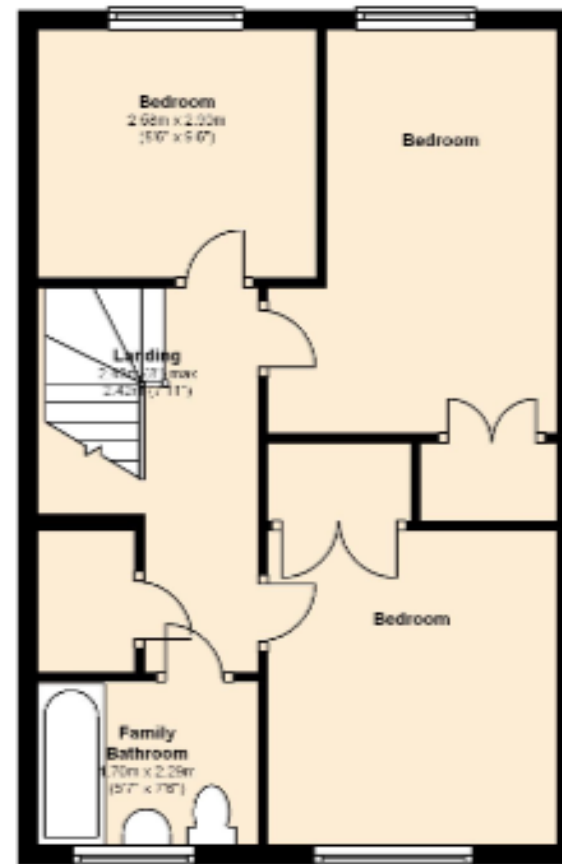


Floor Plans (to remain as existing). No proposed external changes.

Ground Floor
Approx. 43.1 sq. metres (464.1 sq. feet)



First Floor
Approx. 44.4 sq. metres (475.3 sq. feet)



Photographs of the site



Photographs of the site



Photographs of the site



RECOMMENDATION - APPROVE

Proposal complies with Local Plan policies as set out within the report.

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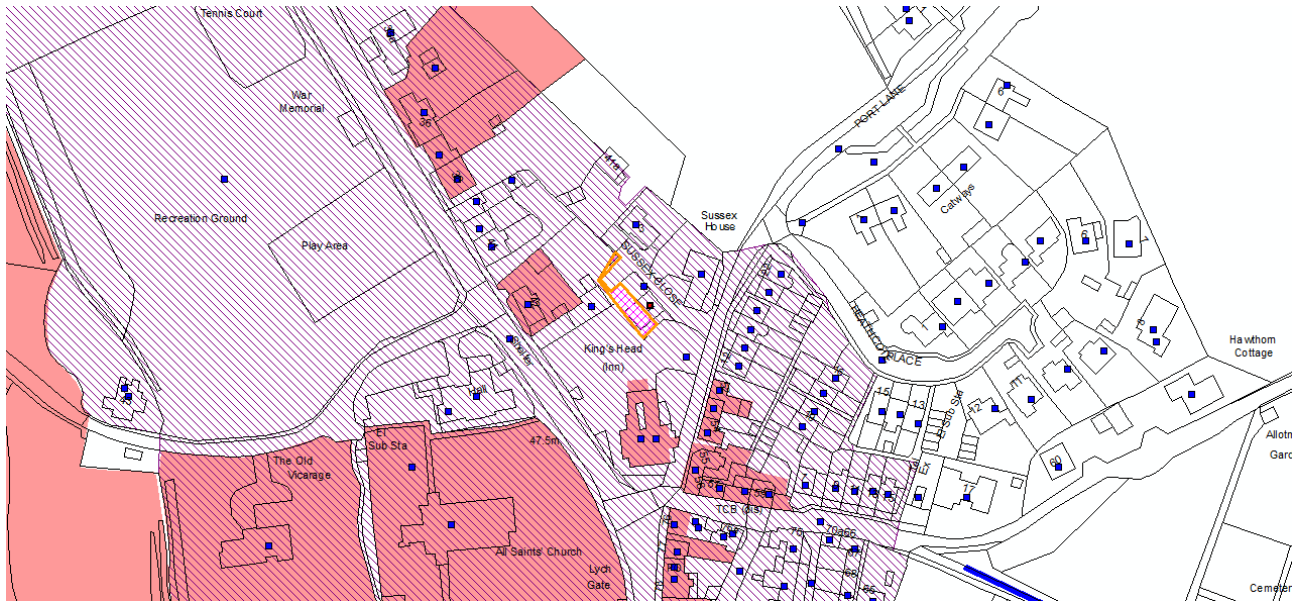
WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 25/01003/HOU
Proposal Description: Single storey rear extension (amended plans)
Address: 1 Sussex Close Hursley Winchester Hampshire SO21 2JQ
Parish: Hursley
Applicants Name: Mr Bentley
Case Officer: Matthew Rutledge
Date Valid: 20 May 2025
Recommendation: Approve with conditions
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 25/01003/HOU](#)

<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 does not have a harmful impact on the character of the area in accordance with Policies DM15 and DM16 of the LPP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of LPP2. In addition, the development would preserve the character of the Conservation Area in accordance with policy DM27 of the LPP2, Section 16 of the NPPF, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act.

General Comments

Ward Councillor Adrian Brophy has requested for the application to be determined by Planning Committee, based upon material planning considerations as shown in Appendix 1.

Case No: 25/01003/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Amendments to Plans Negotiated

The original plans submitted showed a flat roof rear extension that also protruded past the side elevation of the main house. Amendments were requested to alter the roof form to a more traditional style and to reduce the height of the extension. It was also requested that the extension did not protrude past the side elevation of the property and that the boundary wall would therefore remain free-standing.

Revised plans were submitted on 8 July 2025 which showed a pitched roof. It was considered, however, that the height and pitch of the roof should be further reduced.

Further revised plans were submitted to address this on 23 July 2025, and these plans are assessed here.

Site Description

The site is positioned centrally within Hursley, adjacent to the Kings Head public house and inside the Hursley Conservation Area.

1 Sussex Close is a semi-detached, two storey, brick built dwelling. The semi-detached pair are a new addition to the surrounding Conservation Area, having been constructed in 2011 following the demolition of a former garage and associated buildings.

The dwelling is positioned somewhat unusually as the most prominent views are of its side elevation from Main Road, across the car parking area serving the Kings Head. Given these views, additions to the rear of the property will need to be well designed and high quality in order to ensure the character of the Conservation Area is preserved.

Proposal

The proposal adds a single storey, pitched roof, rear extension, constructed of brick to match the host dwelling. A rooflight will be incorporated into the ridge and bifold doors will provide access to the rear garden. A ground floor window is also added to the south west elevation.

Relevant Planning History

None relevant.

Consultations

Service Lead – Built Environment (Archaeology) -

- Archaeological evaluation undertaken in 2011 when the dwelling was constructed. No significant archaeological remains identified. Therefore, no further evaluation required. No objection.

Service Lead – Built Environment (Historic Environment) –

- Concerns regarding design and scale. Revised plans were submitted to address this. Confirmed no objections to the revised plans submitted 23 July 2025, subject to a condition to ensure details of materials and finishes are provided.

Case No: 25/01003/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Service Lead – Public Protection (Environmental Health) –

- No adverse comments in respect of contaminated land.

Representations:

Councillors – Adrian Brophy

See appendix 1.

Hursley Parish Council

No comment.

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

- Scale of extension is too large
- Not in keeping with character of the area/conservation area
- Loss of light

(Note: 6 original objecting representations with 2 subsequently withdrawn following submission of revised plans.)

1 Supporting Representations received from different addresses citing the following material planning reasons:

- No material planning reasons given.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

- 4. Decision-making
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

National Planning Practice Guidance

- Determining a planning application
- Historic environment

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

- CP13 – High Quality Design
- CP20 – Heritage and Landscape Character

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

- DM1 – Location of New Development
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM24 – Special Trees, Important Hedgerows and Ancient Woodlands
- DM27 – Development in Conservation Areas

Case No: 25/01003/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Emerging Local Plan 2020-2040

Strategic Policy D1 - High Quality, well designed and inclusive places

Policy NE15 - Special Trees, Important Hedgerows and Ancient Woodlands

Policy H4 - Development Within Settlements

Policy HE10 - Development in Conservation Areas

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Car Parking Standards

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Regulation 19 Local Plan has been agreed by Full Council and the examination has now been completed. Therefore, the emerging policies can be given appropriate and increasing weight in the assessment of development proposals in advance of Adoption.

The application site is within the defined settlement boundary of Hursley, where the principle of development such as that proposed is considered to be acceptable subject to compliance with the Development Plan as a whole and all other Material Planning Considerations.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Winchester District Local Plan Part 2 Policy DM27 – Development in Conservation Areas – indicates that development proposals within a Conservation Area must conserve or enhance the character, appearance or special architectural or historic interest of the area.

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 application site falls within the Hursley Conservation area and is in proximity to the Grade II listed buildings the Kings Head public house and 42 Main Road. 1 Sussex Close is positioned such that its side elevation, and therefore the side elevation of the extension, is visible in views from the south west across the Kings Head car park.

Case No: 25/01003/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The original proposal was for a modern flat roof extension with lantern roof light. The proposed extension also protruded past the south side elevation of the dwelling. The proposal also included a wood burner flue. This design was not in keeping with the character of the conservation area, and the height of the extension was considered overly dominant. The protrusion beyond the side elevation was considered to result in the extension appearing too prominent in the street scene.

Following input from the Council's Historic Environment team, the proposal was revised to use a traditional pitch roof form, and the height of the ridge line was scaled down. The footprint was also reduced so that the extension no longer protrudes past the side elevation. The wood burner flue was also removed.

The revised plans are considered to be suitable in design and scale. Brick to match the main house will be used, along with a slate roof. These materials are considered appropriate.

Overall, following the revisions to the plans, the proposed extension is considered to be subservient to the main dwelling and appropriately designed in the context of the conservation area and nearby historic buildings. The Council's Historic Environment Team have confirmed they have no objections to the revised plans.

The proposed development is therefore considered to preserve the setting of the conservation area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF and in compliance with DM27 of the LPP2.

In conclusion it is considered that the proposal accords with national planning policies and the Development Plan policies of the Local Plan Part 1 and 2, is not in conflict with any policies in the emerging Local Plan, and does not raise any material matters that weigh sufficiently against the granting of planning permission or listed building consent.

Development affecting the South Downs National Park

The application site is located approximately 4.5km 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 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 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 distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

Historic Environment

The works affect the Hursley Conservation Area.

The following legislation and policies are taken into account in the assessment and determination of this planning application.

Case No: 25/01003/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Relevant Legislation

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 & DM28 of the LPP2 and Policy CP20 of the LPP1; NPPF (2024) Section 16.

Guidance

Where dealing with conservation areas, decision makers are required to pay special attention to the “desirability of preserving or enhancing the character or appearance of that area.” under Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).

Due regard has been given to these requirements, as set out in the Historic Environment consultation response and assessment within this report.

Policy CP20 of WDLPP1 and Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

For the reasons set out above, it is considered that the proposal will preserve the character or appearance of the conservation area. The proposals would accord with the requirements of policies CP20 of WDLPP1 and DM27 of the WDLPP 2, and the historic environment section of the Planning Practice Guidance.

Neighbouring amenity

Due to the intervening distance, the only neighbouring dwelling that could be impacted by the proposed development would be the adjoining property, 2 Sussex Close. The proposed extension is built up to the shared boundary between the dwellings and will be positioned to the south west of 2 Sussex Close. The extension has an eaves height of approximately 2.4m and ridge height of approximately 3.7m.

Comments of objection have been received from the neighbour at 2 Sussex Close. The objections reference the proposed extension being too tall and blocking sunlight.

With an eaves height of 2.4m and the roof line rising away from the garden of 2 Sussex Close, it is not considered that the height of the proposed extension would be unduly overbearing on the occupants of 2 Sussex Close. A drawing demonstrating the 45 degree test in elevation has been submitted in support of the application. The drawing demonstrates that the extension would not obstruct the 45 degree line drawn from the centre of the rear window/door to 2 Sussex Close. As such, it is not considered that the extension would result in overshadowing or loss of light to such a degree that would justify the refusal of this application.

The comments of objection also reference boundary issues/required party wall agreements and blocked views, however, these are not material planning considerations.

It is noted that comments of objection were received from other neighbouring dwellings with concerns that the proposed extension would block views from these properties. This is not a material planning consideration.

Case No: 25/01003/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Therefore, the proposal complies with policy DM17 of the LPP2 as no substantial harmful impacts on the residential amenity of neighbouring dwellings have been identified.

Sustainable Transport

The proposal does not make any alterations to the access or parking for the property. The extension does not create additional bedrooms. The proposal does not, therefore, impact on highway safety or parking standards.

Therefore, the proposal complies with policy DM18 of the LPP2.

Ecology and Biodiversity

The site is not considered suitable habitat for any protected species.

The proposal will have no impact as it is not development within, bordering or in close proximity to a Nationally Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) or is not overnight accommodation affecting Nitrates.

Therefore, the proposal complies with policy CP16 of the LPP1.

Sustainable Drainage

The site is in an area categorised as having a 'very low' yearly chance of surface water flooding. The proposal does not alter the existing drainage arrangements.

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

Trees

Policy DM24 of the LPP2 allows development which does not result in the loss or deterioration of ancient woodlands, important hedgerows, special trees, ground flora and the space required to support them in the long term.

The application site and surrounding area does not contain any trees. The proposal will therefore comply with policy DM24 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 design of the proposed extension has been amended to a traditional pitched roof form following feedback from the Historic Environment Officer. The proposal is considered acceptable in design and scale. The extension is subservient to the host dwelling and would not harm its character. The character of the surrounding Conservation Area is considered to be preserved. No substantially harmful impacts on the residential amenity of neighbouring properties have been identified.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The development is therefore recommended for permission as it is considered that it does not have a harmful impact on the character of the area in accordance with Policies DM15 and DM16 of the LPP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2. In addition, the development would preserve the character of the Conservation Area in accordance with policy DM27 of the LPP2, Section 16 of the NPPF, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act.

Recommendation

That the application be Granted, 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: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission shall be carried out in accordance with following approved plans and documents, unless otherwise agreed in writing with the local planning authority prior to the change being implemented:

Proposed Block and Roof Plan 917/P09 submitted 8 July 2025

Proposed Plans 917/P07 submitted 8 July 2025

Proposed Elevations 917/P08 submitted 23 July 2025

Reason: To clarify which plans have been approved as part of this application.

3. No related works shall commence on site until full details of building materials and roof light details have been submitted to and approved in writing by the Local Planning Authority. Brick and roofing tile samples should be inspected on site. Following approval of those details, the works shall be carried out and thereafter retained in strict accordance with the details so approved.

The details to be submitted shall include:

- Brickwork, including brick type, colour, texture, size, finish, brick bond, joint profile and mortar colour
- Roofing material, including the type, size and colour of slates, ridges, eaves, fascias and soffits
- Roof light details

Reason: Further information is required because insufficient information was submitted in this regard to ensure the preservation of the character and appearance of the Hursley Conservation Area; Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Chapter 16 of the NPPF 2024; Policy CP20 Winchester District Joint Core Strategy; Policy DM27 of the Winchester District Local Plan Part 2.

Informatives:

Case No: 25/01003/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

1. In accordance with paragraph 39 of the NPPF (December 2024), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

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

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

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18, DM24, DM27

High Quality Places SPD

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Parking Standards SPD

NPPF Section 16

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

<https://www.considerateconstructors.com/resources/the-code-of-considerate-practice/>

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

7. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the

Case No: 25/01003/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:

- The Development is for a householder application

Appendix 1

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

Request from Councillor: Adrian Brophy
Case Number: 25/00103/HOU
Site Address: 1 Sussex Close, Hursley, Winchester, Hampshire, SO21 2JQ
Proposal Description: Single storey rear extension (amended plans)
Requests that the item be considered by the Planning Committee for the following material planning reasons: Although the applicant has shown a willingness to modify the plans to reflect several concerns, I think these changes do not yet sufficiently address the loss of light and overshadowing to the garden of the neighbouring property. Viewing the site in the afternoon makes it apparent that any late afternoon and evening light will be lost to the neighbouring garden for much of the year. A further concern is the impact to the overall character of the village location and conservation area. Although the Sussex Close houses are themselves a new development they have been built in a sensitive manner that does not create a sense of excessive density and over development. This sensitive current design does not visually impact the overall street scene but the proposed extension would create a more cluttered visual impression visible from both Main Road and Port Lane.

25/01003/HOU

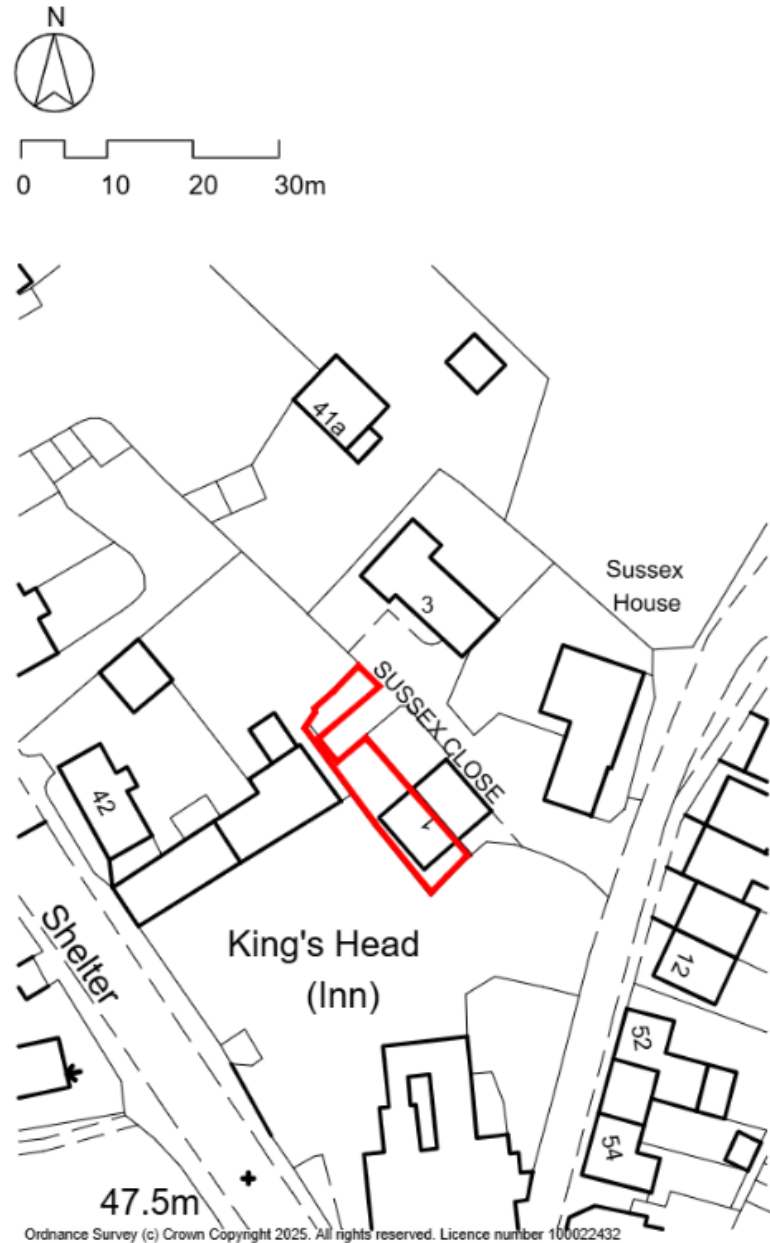
SINGLE STOREY REAR EXTENSION (AMENDED PLANS)

1 SUSSEX CLOSE
HURSLEY
WINCHESTER
SO21 2JQ

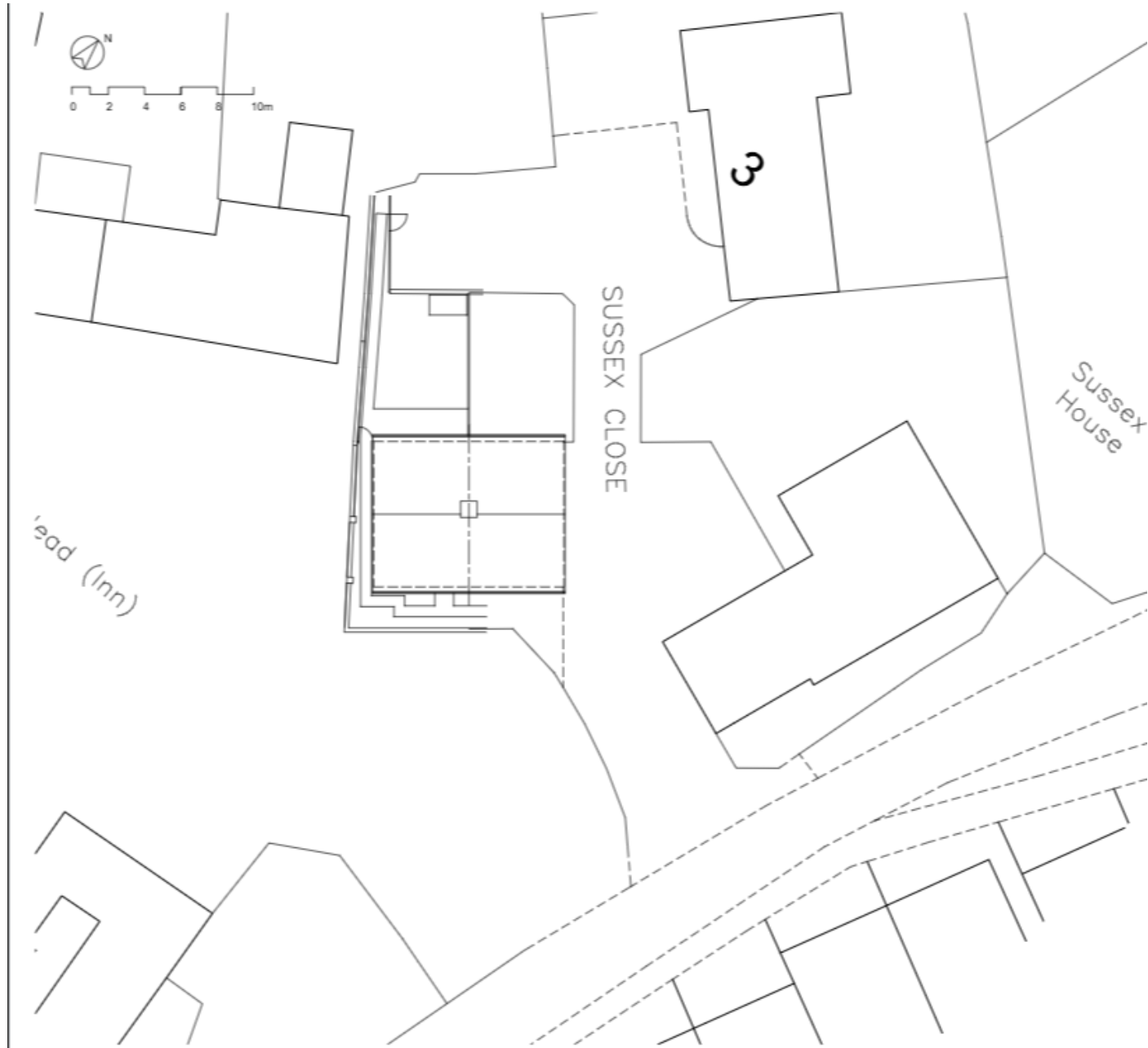
Page 73



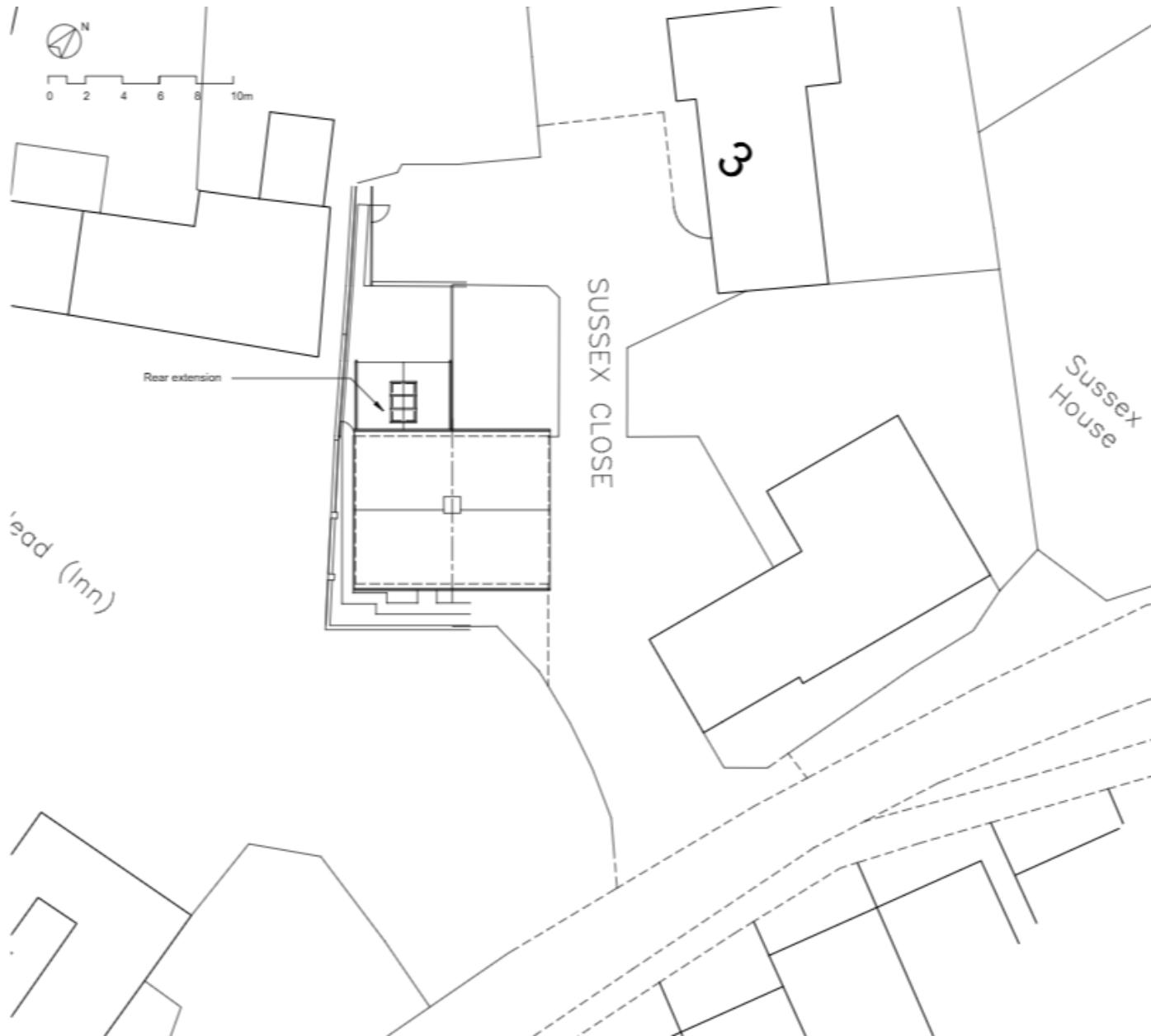
LOCATION PLAN



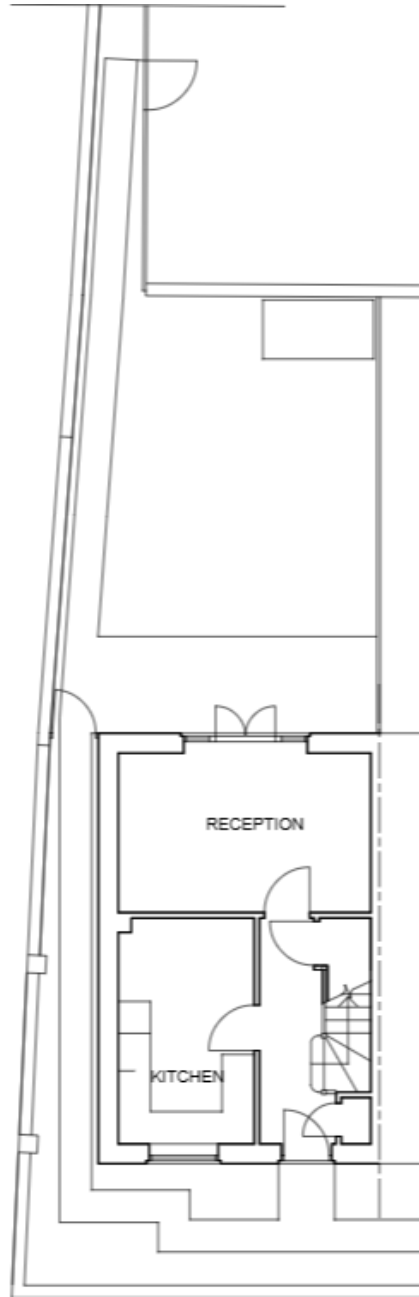
EXISTING BLOCK & ROOF PLAN



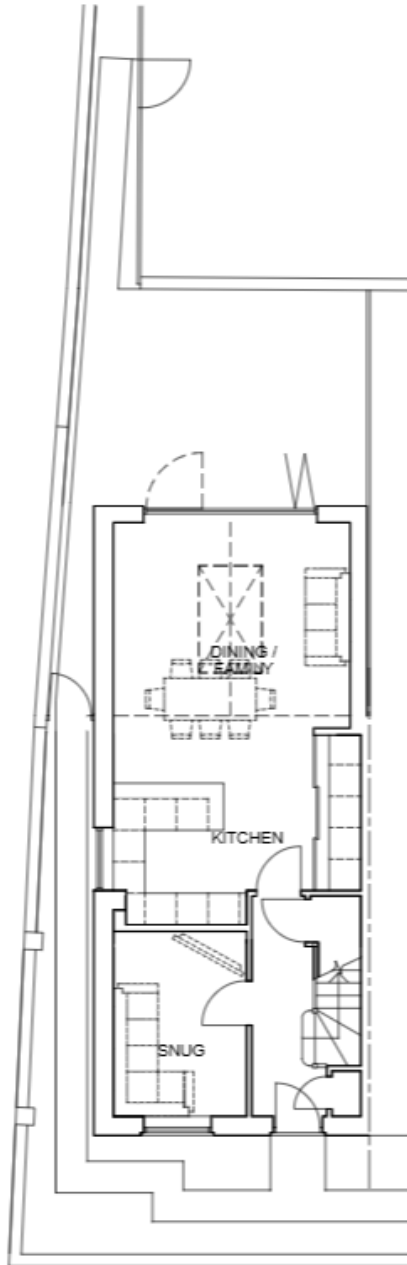
PROPOSED BLOCK & ROOF PLAN



EXISTING GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



EXISTING FRONT ELEVATION



FRONT (SOUTH EAST) ELEVATION

EXISTING REAR ELEVATION



REAR (NORTH WEST) ELEVATION

PROPOSED FRONT ELEVATION



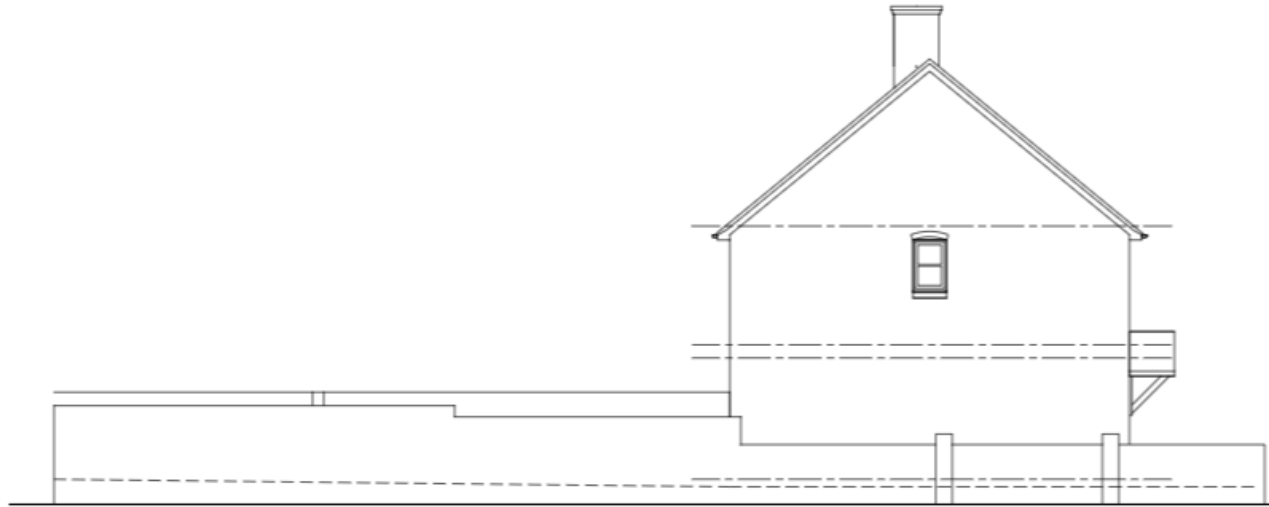
FRONT (SOUTH EAST) ELEVATION

PROPOSED REAR ELEVATION

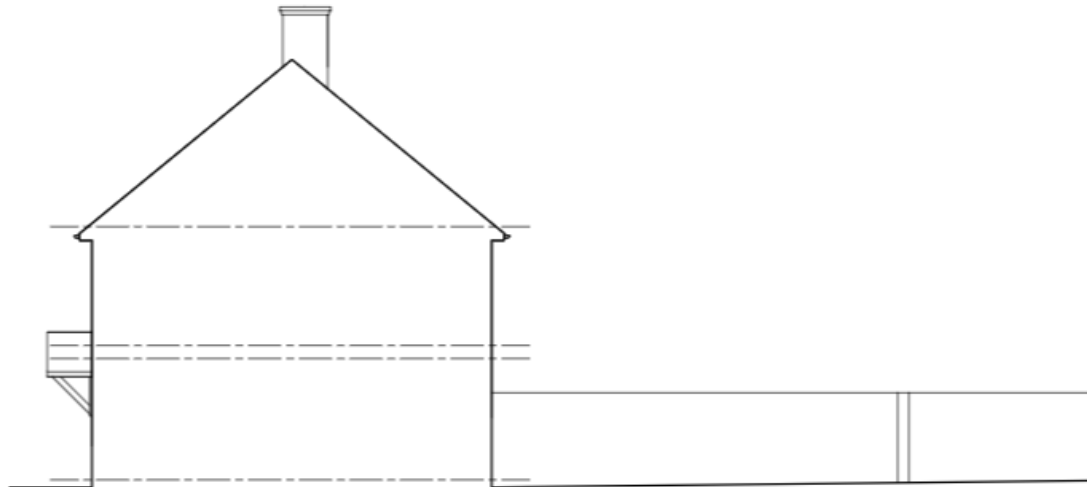


REAR (NORTH WEST) ELEVATION

EXISTING SIDE ELEVATIONS



SIDE (SOUTH WEST) ELEVATION
FROM PUB CAR PARK



SIDE / FLANK (NORTH EAST) ELEVATION

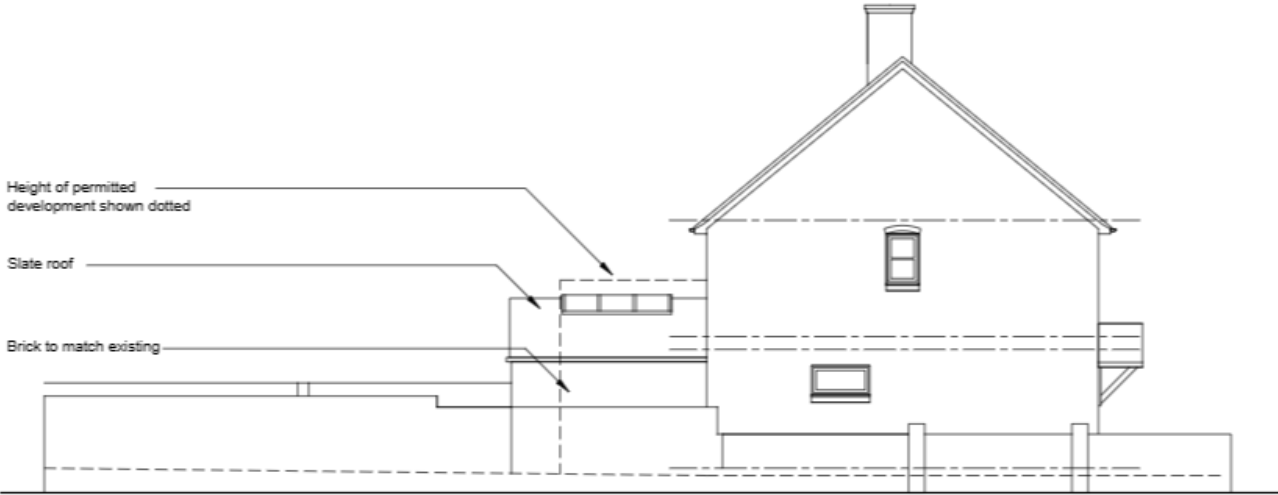
Rev Date Description

C3

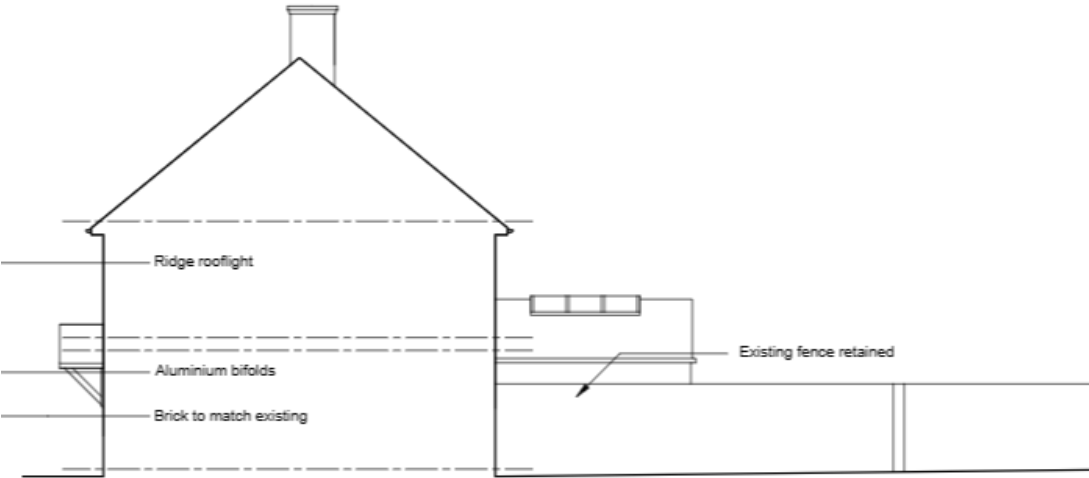
site
1 Sussex Close
Hursley SO21 2JQ
title
Existing Elevations

date
Apr25
job drawing no
917 / P02

PROPOSED SIDE ELEVATIONS



SIDE (SOUTH WEST) ELEVATION
FROM PUB CAR PARK



SIDE / FLANK (NORTH EAST) ELEVATION

A Jul'25 Ridge height reduced

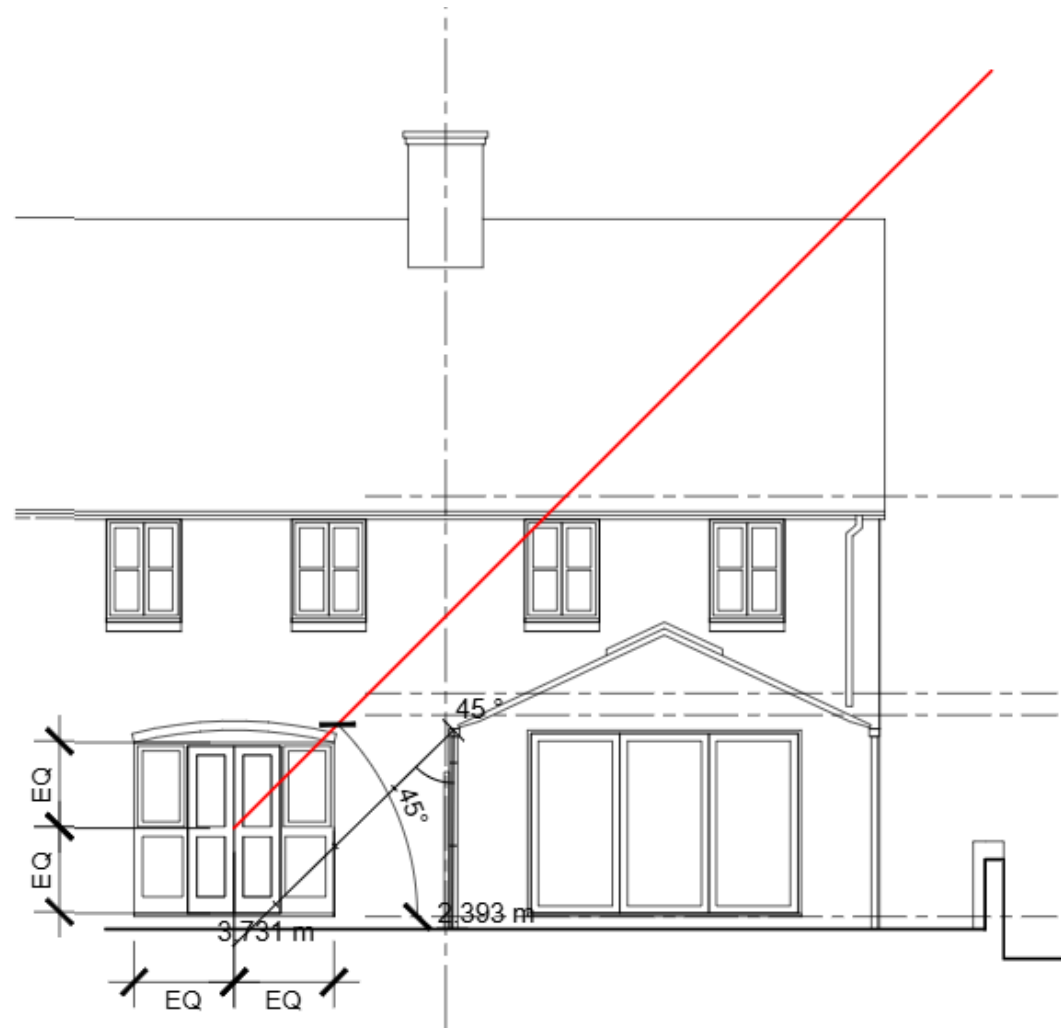
Rev	Date	Description
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C3

site
1 Sussex Close
Hursley SO21 2JQ
title
Proposed Elevations

date
Jul'25
job
917
drawing no
/P08

45 Degree Test



REAR (NORTH WEST) ELEVATION

PRINCIPAL ELEVATION



SOUTH WEST SIDE ELEVATION



VIEW FROM PORT LANE

Port Ln
Worsley, England

Google Street View

May 2025 See more dates



VIEWS FROM MAIN ROAD

Google Street View

May 2025 See more dates

Page 89



Google Maps

Image capture: May 2025 © 2025 Google

VIEWS FROM MAIN ROAD



Page 90



Google Maps

Image capture: May 2025 © 2025 Google

PLANNING COMMITTEE

REPORT TITLE: TPO 2360

MEETING DATE: 15 OCTOBER 2025

REPORT OF CABINET MEMBER: COUNCILLOR JACKIE PORTER, CABINET MEMBER FOR PLACE AND LOCAL PLAN.

Contact Officer: JOHN BARTLETT TEL NO: 01962 848360 EMAIL JBARTLETT@WINCHESTER.GOV.UK

WARD(S): BISHOPS WALTHAM

PURPOSE

To consider confirmation of Tree Preservation Order 2360 to which two letters of objection have been received.

RECOMMENDATIONS:

That, having taken into consideration the representations received, Tree Preservation Order 2360 be confirmed.

1. SUMMARY

- 1.1. The Council received a tree works application to remove the holm oak which is the subject of this report. This was treated as a section 211 notice as the tree was only subject to protection by virtue of being within the Bishops Waltham conservation area. The tree works application (24/01599/TPO) was subsequently refused after the TPO was made and is currently subject to an appeal to the Secretary of State.
- 1.2. Following this notification being received, the tree consultant working on behalf of Winchester City Council carried out a site inspection to assess the condition and amenity value of the holm oak to assess whether it was of sufficient amenity value. Based on this assessment, this tree was deemed to meet the criteria for protection under a Tree Preservation Order (TPO). The tree achieved a score of 19 points on the Tree Evaluation Method for

Preservation Orders (TEMPO) assessment, indicating that it warrants formal protection. As a result, TPO 2360 was issued on 24 April 2025. If not confirmed the provisional order will expire on 23 October 2025.

2. CONSULTATION

2.1. Two letters of objection to the making of this TPO were received. The key concerns are summarised as follows:

- The tree blocks sunlight, for which I believe I have a legal entitlement.
- The tree and overhanging branches are a present and constant danger to my family, grandchildren and property. The tree sways in high winds and should it uproot or fall, it would cause substantial damage to my home not to mention a danger to life.
- The tree causes very unsanitary conditions (i.e.as a result of bird mess which can cause disease).
- The tree is causing extensive damage to the ancient boundary wall, and the newer entrance wall and gate supporting pillar.
- This tree did not have a protection order on it at the date of the Winchester City Council refusal.
- Should Winchester City Council proceed with the intention to assign a TPO to this tree and refuse its removal no doubt the council will issue a legal indemnity to cover all costs incurred by me for all future loss and damage to my property and persons.

The Tree Officer's response:

- In the UK, there is generally no legal right to light for trees. This means that the owner of the tree is not legally obliged to cut a tree that blocks sunlight from a neighbour's garden.
- No diagnostic evidence from an appropriate arboricultural expert has been provided which suggests that the tree poses a safety risk. However, the protection of this tree does not prohibit maintenance from being carried out which is reasonable and in keeping with good arboricultural practice. A formal tree works application for pruning can be submitted which can then be considered by the Council.
- Whilst we appreciate that these nuisance issues can be unpleasant, the high amenity value of this tree and its contribution to the character of the conservation area is considered to outweigh the issues which have been reported.

- The previous application submitted is not supported by sufficient evidence in the form of written technical evidence from an appropriate expert, including description of damage and possible alternative solutions as required in section 8 of the application form. This supporting information can be submitted with a future application and can then be reviewed by the council.
- TPO 2360 was made on 24th April 2025 and the decision for refusal was issued on 28th April 2025, so this tree was protected on the date of refusal.
- Provisions exist within the legislation which allows for a householder to make an application for tree works consent to manage a protected tree. If such work is refused and a householder can establish that there is a causative link between the refusal and property damage a claim can be made pursuant to the statutory provisions provided which deals with such situations.

3. ENVIRONMENTAL CONSIDERATIONS

Trees such as this holm oak play a vital role in addressing the climate emergency and enhancing the district's green infrastructure. They contribute to carbon sequestration by absorbing from the atmosphere and mitigating the effects of climate change.

In addition to their environmental benefits, holm oak trees support a range of biodiversity. They provide essential habitats for a number of species, including insects and other invertebrates, along with species of birds, mammals and other wildlife benefiting from the shelter and food they provide. Therefore, it contributes to the ecological health of the area. Holm oaks support 605 species of wildlife.

4. ALIGNMENT WITH WINCHESTER TREE STRATEGY

The confirmation of TPO 2360 directly supports the objectives outlined in the Winchester City Council Tree Strategy. By preserving this mature holm oak tree that contributes to local biodiversity, visual amenity, and climate resilience, the TPO reinforces the Strategy's commitment to protecting valuable trees across the district.

The report's emphasis on the role of this tree in supporting wildlife and carbon sequestration aligns with the Strategy's goals to enhance ecological networks, promote environmental stewardship, and integrate trees into the urban landscape for the benefit of current and future generations.

5. PUBLIC SECTOR EQUALITY DUTY

None

6. RISK CONSIDERATIONS

- 6.1. The risk of legal challenge to the validity of the TPO is considered low as the TPO has been made and served in accordance with the relevant legislation and procedures. Compensation for refusal for works applied to the tree is mitigated by following correct procedures as laid down by the Secretary of State.

7. OTHER OPTIONS CONSIDERED AND REJECTED

- 7.1. If the provisional TPO is not confirmed, it will expire on 23 October 2025. The tree will then be left vulnerable to being removed. The removal of this tree will have a detrimental impact on the amenity value and also character of the conservation area.

BACKGROUND DOCUMENTS: -

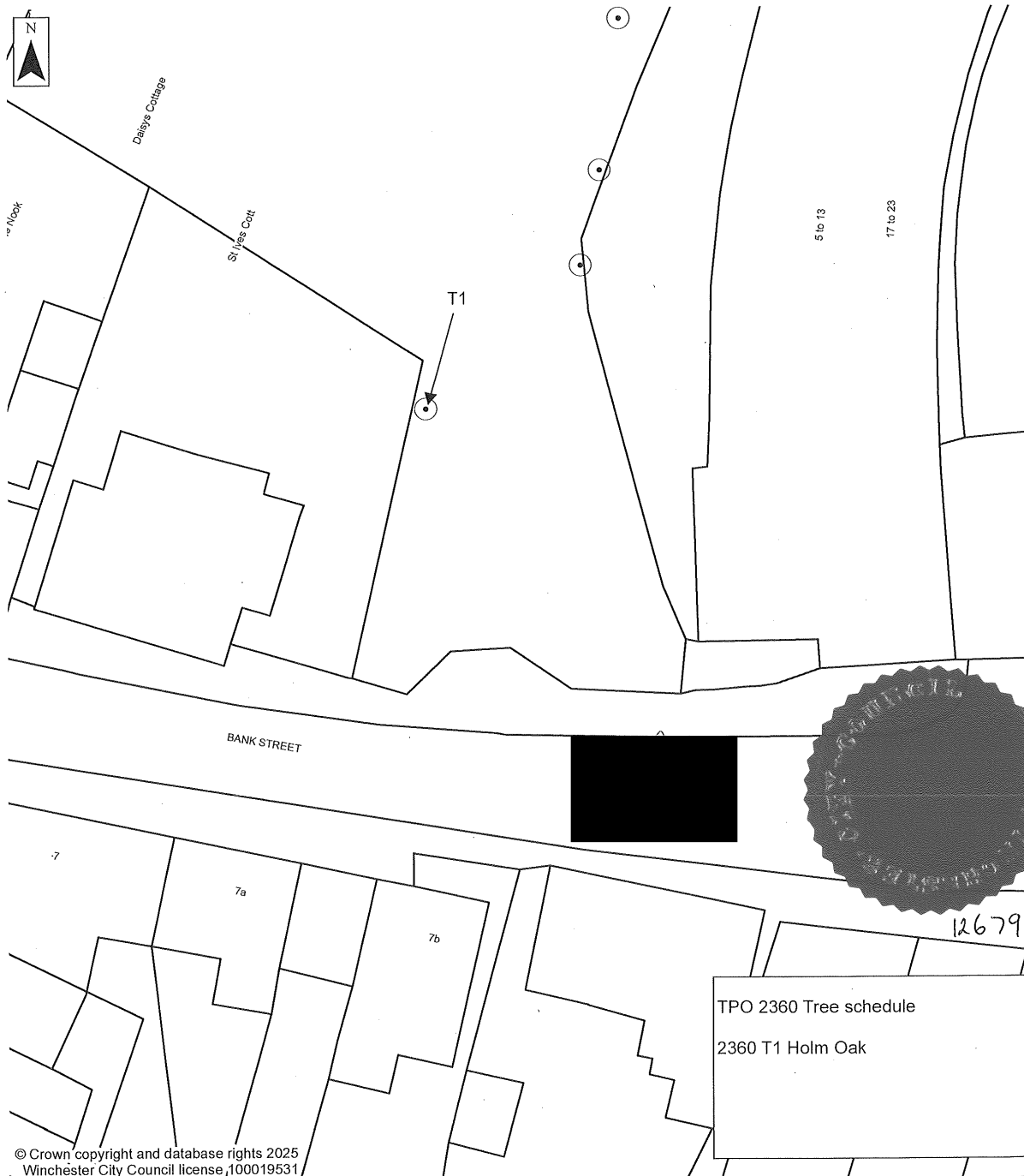
Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.

Website:- <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Winchester City Councils tree strategy Website:-
<https://www.winchester.gov.uk/planning/trees>

APPENDICES: Appendix 1

Appendix 1



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Legend	
	Area
	Group
	Woodland
	Tree

TOWN AND COUNTRY PLANNING ACT 1990 Section 198 - 201

Tree Preservation Order No. 2360

Location:
Land at Oak Lodge
Bank Street
Bishops Waltham

Scale @A4: 1:265

Date: 16 April 2025



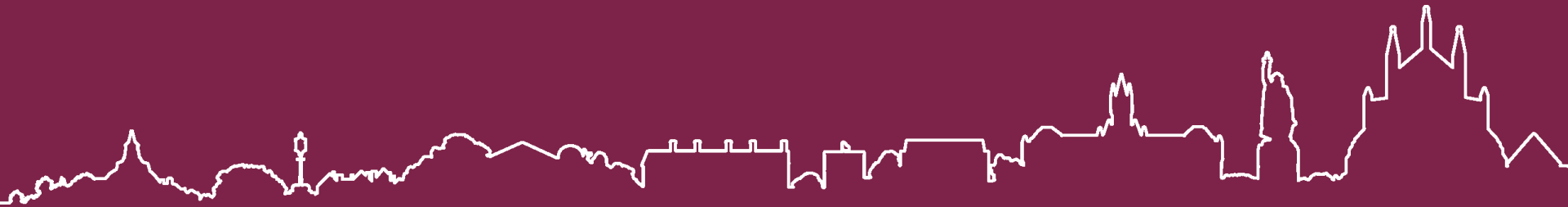
Winchester
City Council

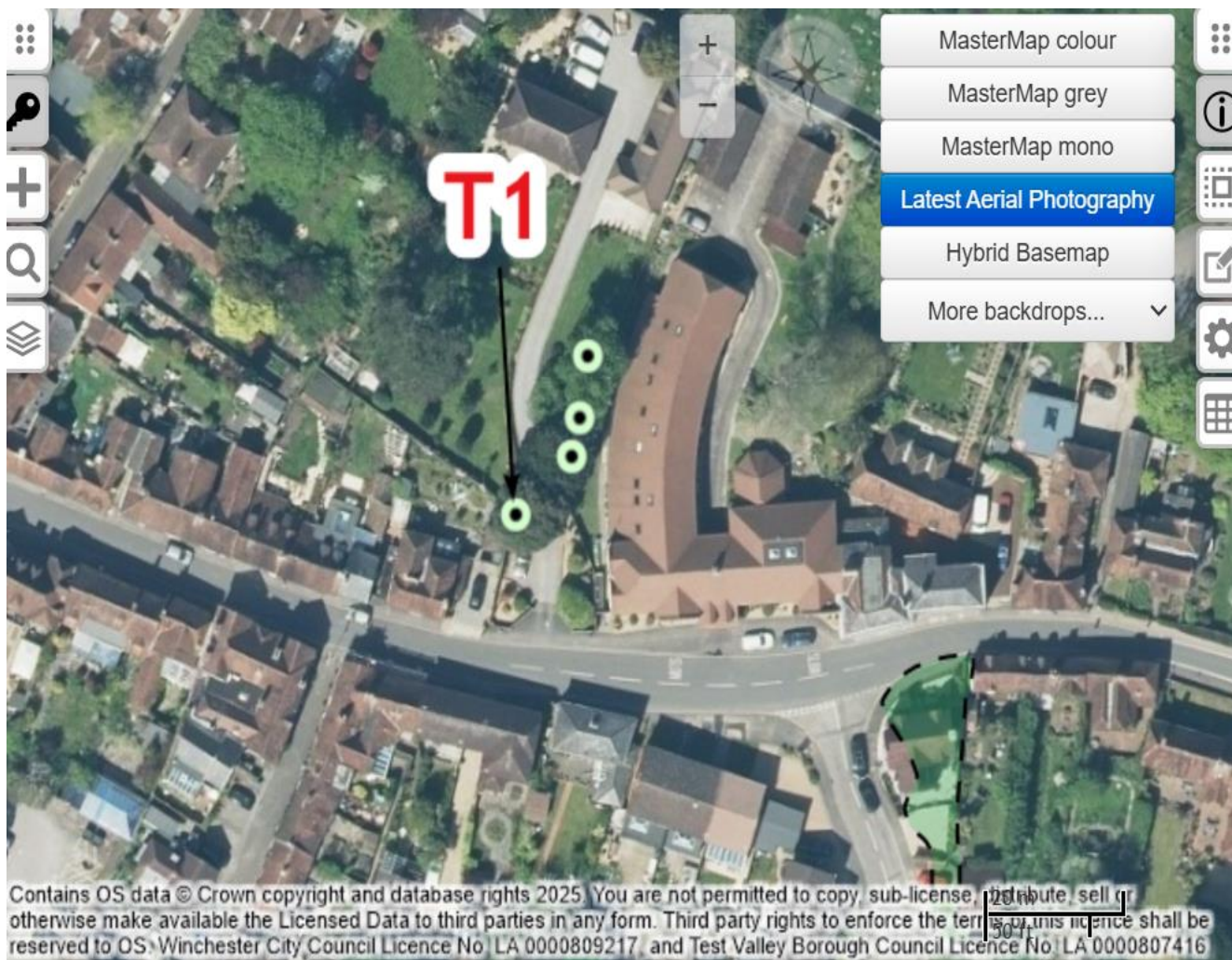
Winchester City Council
City Offices
Colebrook Street
Winchester
Hampshire
SO23 9LJ

Telephone 01962 840 222

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Confirmation of TPO 2360 Land at Oak Lodge Bank Street Bishops Waltham





Public view – Junction with Malvern Close



Public view – opposite Oak Lodge



Public view - outside Oak Lodge



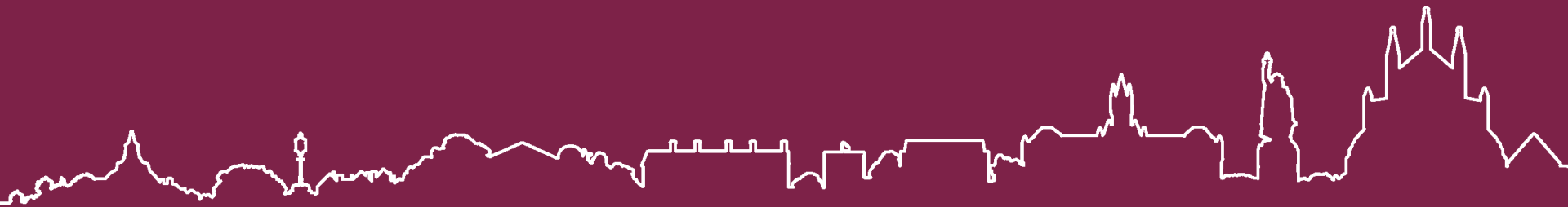
Public View opposite Roman Row



Public view – outside 7 Bank Street



Recommendation To confirm TPO 2360



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PLANNING COMMITTEE

REPORT TITLE: PLANNING AND ENFORCEMENT NOTICE APPEALS
QUARTERLY REPORT – 1 JULY 2025 TO 30 SEPTEMBER 2025

15 OCTOBER 2025

REPORT OF CABINET MEMBER: Councillor Jackie Porter, Cabinet Member for
Place and Local Plan

Contact Officer: Sarah Armstrong

Tel No: 01962 848063

Email: sarmstrong@winchester.gov.uk

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

PURPOSE

This report provides a summary of appeal decisions received during 01 July 2025 - 30 September 2025.

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

RECOMMENDATIONS:

1. That the report be noted.

RESOURCE IMPLICATIONS:

1.1 COUNCIL PLAN OUTCOME

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

1.2 Greener Faster

1.3 None

1.4 Thriving Places

1.5 None

1.6 Healthy Communities

1.7 None

1.8 Good Homes for All

1.9 None

1.10 Efficient and Effective

1.11 None

1.12 Listening and Learning

2 FINANCIAL IMPLICATIONS

2.1 None

3 LEGAL AND PROCUREMENT IMPLICATIONS

3.1 None

4 WORKFORCE IMPLICATIONS

4.1 None

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND COMMUNICATION

6.1 None

7 ENVIRONMENTAL CONSIDERATIONS

7.1 None

8 PUBLIC SECTOR EQUALITY DUTY

8.1 None

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None

10 RISK MANAGEMENT

10.1 None

Risk	Mitigation	Opportunities
Financial Exposure N/A		
Exposure to challenge N/A		
Innovation N/A		
Reputation N/A		
Achievement of outcome N/A		
Property N/A		
Community Support N/A		
Timescales N/A		
Project capacity N/A		
Other N/A		

11 SUPPORTING INFORMATION:

Total Number of all Appeals 15

11.1 This report provides a summary of appeal decisions in relation to planning cases received during 01 July 2025 - 30 September 2025,

Planning Appeal Cases in Total 15

APPEAL DECISION TYPE	NUMBER	PERCENTAGE	COSTS APPLICATIONS	COSTS DECISION
Allowed	6	40%	1 - Appellant	Refused
Dismissed	9	60%	0	N/A
Part Allowed/ Part Dismissed	0	0%	0	N/A
Invalid – Out of Time	0	0%	0	N/A
Withdrawn	0	0%	0	N/A

11.2 This report provides a summary of appeal decisions in relation to enforcement notice cases received during 01 July 2025 - 30 September 2025,

Enforcement Appeal Cases in Total 0

APPEAL DECISION TYPE	NUMBER	PERCENTAGE	COSTS APPLICATIONS	COSTS DECISION
Allowed	0	0%	0	N/A
Dismissed	0	0%	0	N/A
Part Allowed/ Part Dismissed	0	0%	0	N/A
Invalid – Out of Time	0	0%	0	N/A
Withdrawn	0	0%	0	N/A

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 NONE

BACKGROUND DOCUMENTS: -

Previous Committee Reports:

Appeals Summary Report Q1: Apr – Jun 2025.

The previous Appeal Summaries were presented at the July 2025 Planning Committee Meeting.

APPENDICES

APPENDIX 1 Planning Appeals – Summary of Decisions

APPENDIX 2 Enforcement Notice Appeals – Summary of Decisions

PLANNING APPEALS – SUMMARY OF DECISIONS**REPORT FROM SERVICE LEAD: BUILT ENVIRONMENT**

A summary of planning appeal decisions received during the period 01 July 2025 - 30 September 2025.

Item No: 1			
Date of Inspector's Decision:	3rd September 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Householder	Costs	No Application for Costs
Case No:	23/01790/TPO		
Case Officer:	John Bartlett		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/TPO/L1765/9893		

Proposal:	Land to the rear of the property - 3 oak trees. T1 - crown lift 6m from the ground. Reduce the width from 9m by 3m leaving a finish of 6m. T2 - Reduce the width of the tree from 9m by 2.5m leaving a finish of 6.5m. T3 - Reduce the width of the tree from 9m by 3m leaving a finish of 6m.
Location:	52 Hatchmore Road Denmead Waterlooville Hampshire PO7 6TF

Item No: 2			
Date of Inspector's Decision:	22nd July 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs
Case No:	23/01377/LDP		
Case Officer:	Cameron Taylor		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/X/23/3335091		
Proposal:	Please see covering letter		
Location:	Ladycroft Farm Ladycroft Alresford Hampshire SO24 0QP		

Item No: 3			
Date of Inspector's Decision:	18th July 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/01089/FUL		
Case Officer:	Cameron Taylor		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/24/3354652		

Proposal:	Erection of dwelling.
Location:	Rural Hill Bighton Lane Gundleton Alresford Hampshire SO24 9SW

Item No: 4			
Date of Inspector's Decision:	4th July 2025	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/00737/HOU		
Case Officer:	Cameron Taylor		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/D/24/3355833		

Proposal:	(AMENDED DRAWINGS) Reduction in height and changing the appearance of the roof, and stepping in of part of the front elevation and changes to fenestration and external appearance so that the resultant dwelling has the same appearance as that approved under 08/01823/FUL
Location:	Stratton Highways Road Compton Winchester Hampshire SO21 2DF

Item No: 5			
Date of Inspector's Decision:	3rd September 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	23/02924/FUL		
Case Officer:	Cameron Finch		

Original Decision Type:	Committee Decision
Was Decision Overturned at Committee?	No
PINS Ref:	APP/L1765/W/24/3356082

Proposal:	On land adjacent to Drakes Bottom Uplands Road (Dirty Lane), Denmead, PO7 4QT construction of 2no cabins for Tourist accommodation with associated access drive from Dirty Lane and parking area.
Location:	Land Adjacent To Drakes Bottom Dirty Lane Hambledon Hampshire

Item No: 6			
Date of Inspector's Decision:	19th August 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/01107/OUT
Case Officer:	Cameron Taylor
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No
PINS Ref:	APP/L1765/W/24/3358029

Proposal:	Erection of two in-fill dwellings
Location:	Land Adjacent To Sharsted Botley Road Curbridge Hampshire

Item No: 7			
Date of Inspector's Decision:	11th July 2025	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/00876/FUL
Case Officer:	Joe Toole
Original Decision Type:	Committee Decision
Was Decision Overturned at Committee?	Yes
PINS Ref:	APP/L1765/W/25/3359958

Proposal:	THE ERECTION OF A BARN, STABLE BLOCK AND EXTENSION OF HARDSTANDING (AMENDED PLANS)
Location:	Land At Wangfield Lane And Vicarage Lane Curdrige Hampshire

Item No: 8			
Date of Inspector's Decision:	15th July 2025	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/02330/FUL		
Case Officer:	Joe Toole		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/W/25/3361463		

Proposal:	Demolition of existing cottage, and replacement with new self-build dwelling including construction of a new carport
Location:	Black Hill Cottage Hundred Acres Road Wickham Fareham Hampshire PO17 6HY

Item No: 9			
Date of Inspector's Decision:	17th September 2025	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Written Representation	Costs	Appellant's Costs Refused

Case No:	24/01751/FUL		
Case Officer:	Cameron Finch		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		
PINS Ref:	APP/L1765/W/25/3361757		

Proposal:	Construction of 4 x single-storey, timber-clad cabins for use as holiday lets.
Location:	Land Adjacent To The Farmers Home Heathen Street Durley Hampshire

Item No: 10			
Date of Inspector's Decision:	23rd July 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	24/02175/DIC		
Case Officer:	Madelaine Clavey		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

PINS Ref:	APP/L1765/W/25/3361943
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Proposal:	Discharge of conditions 4 and 8 of planning permission granted at appeal under APP/L1765/C/22/3296767 (and 3296771, 3296773, 3296776, 3296778, 3296781 and 3296783).
Location:	Carousel Park Basingstoke Road Micheldever Winchester Hampshire SO21 3BW

Item No: 11			
Date of Inspector's Decision:	1st August 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	25/00102/PIP
Case Officer:	Joe Toole
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No
PINS Ref:	APP/L1765/W/25/3362385

Proposal:	Application for Permission in Principle for residential development for up to two new dwellings.
Location:	Land At Rozel Forge Stapleford Lane Durley Hampshire

Item No: 12			
Date of Inspector's Decision:	10th July 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Written Representation	Costs	No Application for Costs

Case No:	25/00158/FUL
Case Officer:	Catherine Watson
Original Decision Type:	Delegated Decision
Was Decision Overturned at Committee?	No
PINS Ref:	APP/L1765/W/25/3364830

Proposal:	Demolition of an existing detached bungalow and garage, and the erection of a B2/B8 industrial building with associated hardstanding and parking
Location:	Four Dells Bungalow Poles Lane Otterbourne Winchester Hampshire SO21 2DY

Item No: 13			
Date of Inspector's	19th August 2025	Inspector's	Appeal Allowed

Decision:		Decision:	
Appeal Procedure	Householder	Costs	No Application for Costs

Case No:	24/02577/HOU		
Case Officer:	Ethan Townsend		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/D/25/3366737		

Proposal:	Proposed reinstatement of railings to front boundary
Location:	Buckingham House 50 Hyde Street Winchester Hampshire SO23 7DY

Item No: 14			
Date of Inspector's Decision:	15th September 2025	Inspector's Decision:	Appeal Allowed
Appeal Procedure	Householder	Costs	No Application for Costs

Case No:	25/00098/HOU		
Case Officer:	Catherine Watson		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/D/25/3366907		

Proposal:	Rebuilding of storm damaged garden wall.
Location:	1 Cedar Close Kings Worthy Winchester Hampshire SO23 7NN

Item No: 15			
Date of Inspector's Decision:	10th September 2025	Inspector's Decision:	Appeal Dismissed
Appeal Procedure	Householder	Costs	No Application for Costs

Case No:	25/00940/AVC		
Case Officer:	Charlotte Smith		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		
PINS Ref:	APP/L1765/Z/25/3370581		

Proposal:	Erection of a small format Advertising Display
Location:	Winchester Service Station Bar End Road Winchester Hampshire SO23 9NP

ENFORCEMENT NOTICE APPEALS – SUMMARY OF DECISIONS

REPORT FROM SERVICE LEAD: BUILT ENVIRONMENT

A summary of enforcement notice appeal decisions received during the period 01 July 2025 - 30 September 2025.

NONE

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