



Meeting	Planning Committee
Date and Time	Thursday, 11th December, 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 Friday, 5 December 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

PROCEDURAL ITEMS

1. **Apologies and Deputy Members**

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

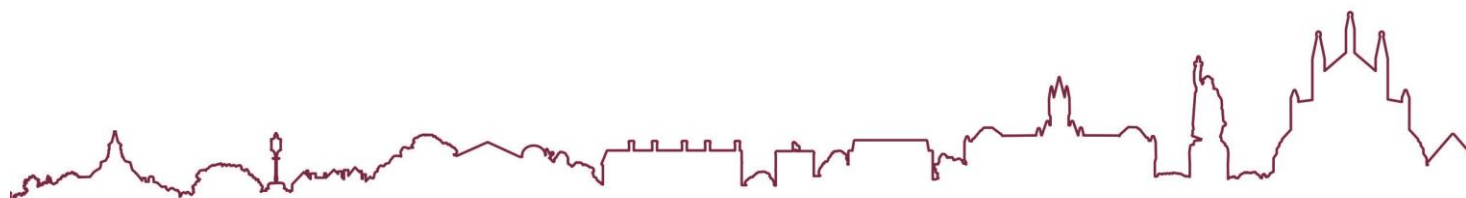
2. **Disclosures of Interests**

To receive any disclosure of interests from 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 15 October 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 on Friday, 5 December 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.

BUSINESS ITEMS

	Report Number	Ward
4. Where appropriate, to accept the Update Sheet as an addendum to the Report		
5. Planning Applications (WCC Items 6-8 and SDNP Item 9 Report and Update Sheet refers)		
6. The White House, Sleepers Hill, Winchester, SO22 4NA (Case number: 25/00994/FUL) (Pages 15 - 52)		St Paul
7. Knowsley, Hoe Road, Bishops Waltham, Hampshire (Case number: 25/00680/FUL) (Pages 53 - 74)		Bishops Waltham
8. Unit F4, Whiteley Shopping Centre, Whiteley Way, Hampshire (Case number: 25/01883/VAR) (Pages 75 - 98)		Whiteley & Shedfield
9. Land adjacent to Church Lane, Swanmore, Southampton (Case number: SDNP/25/00564/FUL) (Pages 99 - 138)		Central Meon Valley

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.

3 December 2025

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



Working in Partnership



THE HUMAN RIGHTS ACT 1998:

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

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

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

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

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

GENERAL GUIDANCE ON THE WORK OF THE COMMITTEE:

Background

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

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

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

At the meeting

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

Timing

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

The Officer's presentation

On each item, the planning case officer will introduce the application to the committee. They will concentrate on showing details of the proposals with the aid of projected visual material, including photographs of the site and plans. The length and details of the presentation at the meeting will be proportionate to the nature and

scale of the proposal. The officer will make a recommendation to the committee to either approve or refuse the application and, in the latter case, will state the reasons for this.

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

Public participation:

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

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

The process is controlled by procedures to ensure fairness to both objectors and supporters. **To register to speak at the meeting, please contact the Public Speaking Co-ordinator on 01962 848 339 by 4:30pm at least THREE clear working days before the meeting,**(Friday, 5 December 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.

PLANNING COMMITTEE

Wednesday, 15 October 2025

Attendance:

Councillors
Rutter (Chairperson)

Williams
Laming
Langford-Smith

Small
White

Apologies for Absence:

Councillors Aron, Cunningham and Gordon-Smith

Deputy Members:

Councillor Bolton (as deputy for Councillor Cunningham) and Councillor Pett (as deputy for Councillor Gordon-Smith)

Other members in attendance:

Councillor Brophy

[Video recording of this meeting](#)

1. APOLOGIES AND DEPUTY MEMBERS

Apologies were noted as above.

2. DISCLOSURES OF INTERESTS

Councillor Jonathan Williams declared a disclosable pecuniary interest due to his role as a Hampshire County Councillor. However, as there was no material conflict of interest, he remained in the room, spoke and voted under the dispensation granted on behalf of the Audit and Governance Committee.

Councillor Brian Laming made a personal statement that he was a Ward Member in respect of the item: 1 Sussex Close Hursley Winchester Hampshire SO21 2JQ (Case Ref: 25/01003/HOU) (Pages 63 - 90). 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 Paula Langford-Smith made a personal statement that she was a Ward Member in respect of the item: Land to the Rear of the Chairmakers Arms Forest Road Worlds End Hambledon (Case Ref: 25/01078/FUL) (Pages 15 - 42). 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 Jerry 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 on behalf by the Monitoring Officer.

3. **MINUTES OF THE PREVIOUS MEETING.**

RESOLVED:

That the minutes of the previous meeting held on 24 September 2025 be approved and adopted.

4. **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

5. **PLANNING APPLICATIONS (ITEMS 6-8 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:

6. **LAND TO THE REAR OF THE CHAIRMAKERS ARMS FOREST ROAD
WORLDS END HAMBLEDON (CASE REF: 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).

The application was introduced. Members were referred to the update sheet which provided additional information regarding a relevant appeal, ref: APP/L1765/C/23/3320989 (Plot 2, Pony Paddock, Land adjacent to the Chairmakers Arms) which was determined by the Planning Inspectorate on the 1st of October 2025. It was advised that this decision was relevant to this application as the site was closely related to this application and was for a single gypsy/traveller pitch. Further details were set out within the update sheet.

In addition, the case officer informed the committee that the applicant's agent had confirmed that the site was occupied and so recommended that Condition 2 be re-worded to reflect this.

During public participation, Denise Searle spoke in objection to the application, and Councillor Chris Ranger on behalf of Denmead Parish Council spoke in objection to the application and answered members' questions.

The committee proceeded to ask questions and debate the application. The committee received advice from the Legal Adviser regarding the 5-year supply of traveller site provision and the resulting engagement of the 'tilted balance' principle. He also clarified the status of ongoing enforcement appeals, the basis

for temporary planning permission, and the considerations related to setting a planning precedent.

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, and subject to the following:

- a) That permission be granted for a temporary, 5-year period.
- b) That an additional condition be included that the site be returned to its original state at the expiry of the five-year period.
- c) That Condition No 2 be amended to require compliance within three months of the date of permission.

7. **86 THURMOND CRESCENT WINCHESTER SO22 4DH (CASE REF: 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 children's residential care home.

The application was introduced and during public participation, Mrs Ifeoma Ozoemena 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.

8. **1 SUSSEX CLOSE HURSLEY WINCHESTER HAMPSHIRE SO21 2JQ (CASE REF: 25/01003/HOU)**

Proposal Description: Single storey rear extension (amended plans).

The application was introduced and during public participation, Claudia Wellner spoke in objection to the application, and Mark Benzie spoke in support of the application and answered members' questions.

Councillor Adrian Brophy spoke as a ward member and expressed several points on behalf of residents which could be summarised as follows.

1. He stated that he had called the application to the committee because he believed the design would have an adverse impact on neighbouring homes.
2. Whilst acknowledging the applicant's willingness to modify plans, he felt the changes did not sufficiently address the loss of light and overshadowing issues for the garden and windows of the neighbouring property at Number 2 Sussex Close.

3. He noted that the proposed extension was built up to the shared boundary, and he agreed with neighbours' fears that it would be too tall and block sunlight.
4. Although the application passed the 45-degree elevation test, he argued that due to the narrow nature of the gardens and proximity to the boundary, nearly half of the neighbouring garden would be overshadowed, particularly affecting evening light in certain seasons.
5. He believed the design complied only with the "letter" of the 45-degree guideline, not its "spirit," and reminded the Committee that it was a guideline, not a law.
6. A secondary issue was raised concerning the overall impact on the street scene, as the side elevation was highly visible from Main Road and Port Lane within a conservation area.
7. In conclusion, he asked that the committee consider the wider impacts of its size, proximity to the boundary, and the overall effect on the street scene and the neighbouring property.

The committee proceeded to ask questions and debate the application. The committee received advice from the Legal advisor, who clarified that the Party Wall Act, the right to light, and light pollution are matters that could be dealt with under private law and parallel regimes such as Environmental Health.

RESOLVED

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

9. **TPO: OAK LODGE BANK STREET BISHOPS WALTHAM SOUTHAMPTON HAMPSHIRE SO32 1AN (CASE REF: TPO 2360)**

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

The application was introduced, and members were provided with a presentation which included photographs provided by an objector. The committee proceeded to ask questions and debate the application.

RESOLVED

That, having taken into consideration the representations received, Tree Preservation Order 2360 be confirmed, as set out in the report.

10. **PLANNING AND ENFORCEMENT NOTICE APPEALS QUARTERLY REPORT – 1 JULY 2025 TO 30 SEPTEMBER 2025**

The report set out a summary of the 15 planning appeal decisions for the period 1 July 2025 to 30 September 2025.

RESOLVED:

That the summary of planning and enforcement appeal decisions received during the period 1 July 2025 to 30 September 2025 be noted.

The meeting commenced at 9.30 am and concluded at 11.40 am

Chairperson

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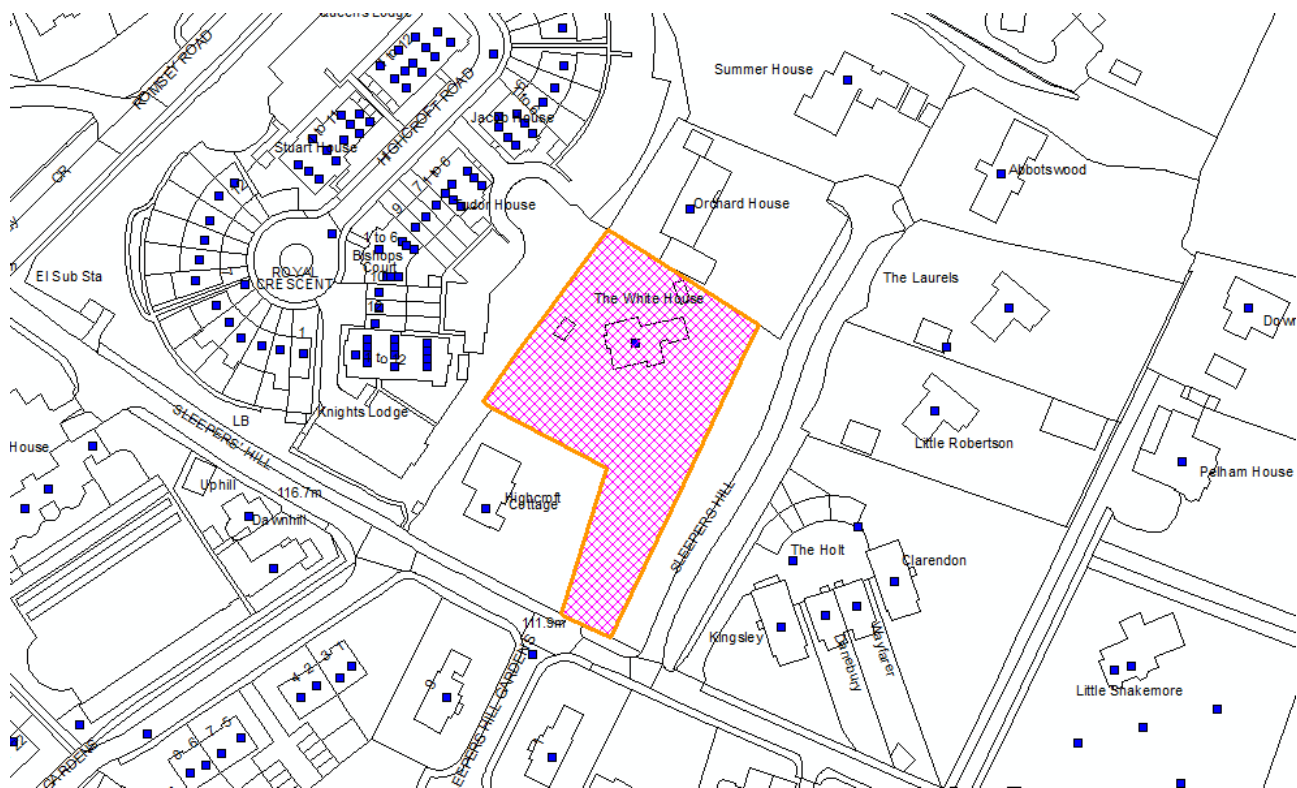
WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 25/00994/FUL
Proposal Description: (AMENDED) Construction of six houses and associated works
Address: The White House Sleepers Hill Winchester Hampshire SO22 4NA
Parish, or Ward if within Winchester City: St Paul
Applicants Name: Mr Stuart Garnett
Case Officer: Mrs Megan Osborn
Date Valid: 22 May 2025
Recommendation: Application Permitted
Pre Application Advice: No

Link to Planning Documents

[Link to page – enter in reference number 25/00994/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)

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



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Reasons for Recommendation

The development is recommended for permission as it is considered that it will respond positively to the character and appearance of the local environment and would not harm neighbouring residential amenity and is in accordance with the development plan.

Case No: 25/00994/FUL

WINCHESTER CITY COUNCIL
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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

Amended plans have been submitted on the 30th October 2025.

The amendments include:

- Reduction in the number of dwellings from 6 to 5.
- floor space reduction from 1,432sqm to 1,233sqm
- increase of the front gardens of plots 3-5.
- increase spacing between plots 3-5 with the garages to the side of plot 3 being single storey
- Plot 5 garage detached and moved to the front of the plot
- Increase separation from boundary with Orchard House to 4.8m.
- Internal road reduced to 3.8m from 4.8m, this enabled plots 1 and 2 to be moved 1m west away from the boundary trees.

The plan numbers are:

- P24/17/S/101B Site Layout & Roof Plans
- P24/17/S/102B Context Block Plan
- P24/17/S/103C Street Scene Elevations
- P24/17/S/110B Floor Plans & Elevations Plot 1
- P24/17/S/111B Floor Plans & Elevations Plot 2
- P24/17/S/112B Floor Plans & Elevations Plot 3
- P24/17/S/113B Floor Plans & Elevations Plot 4
- P24/17/S/114B Floor Plans & Elevations Plot 5
- 225-0101 Rev D Landscape Strategy Plan

These were readvertised to neighbours for 21 days.

Site Description

The Application Site (approximately 0.3 hectares in size) comprises a large detached two storey dwelling (the White House) and its residential curtilage. The site is accessed from Sleepers Hill, an unadopted road which lies to the south west. The north and south boundaries of the site are adjoined by detached dwellings, while the south east and north west boundaries are adjoined by mature tree belts which are subject to group Tree Preservation Orders (TPOs).

The area of Sleepers Hill is comprised of predominantly large dwellings within large spacious plots, although there have been a number of developments within the surrounding area, which have reduced the size of the overall plot to house ratio. Notwithstanding this the locality largely retains its verdant and spacious character.

Proposal

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The proposal is for the demolition of the existing house and replacement with 5 dwellings. There is a mix of two one and a half storey detached dwellings to the eastern side of the site, and three two storey detached dwellings on the western side of the plot.

Relevant Planning History

None

Consultations

Service Lead – Built Environment (Urban Designer)

- Comments received 9th July 2025, amendments are needed and further clarification sought.
- Comments received 16th sept 2025 – No significant change from the previous plans.
- Final comments received since amended plans were submitted on the 30th October – no significant objections to the revised layout.

Service Lead – Engineering (Drainage)

- No objections, subject to a condition regarding the surface water run off (condition 9)

Service Lead – Sustainability and Natural Environment (Ecology)

- Comments received on the 30th June 2025 – Concerns relating to this application, more information is needed.
- Comments received 24th November – further compensatory planting is needed to take into account the loss of habitat. Additional information is required on the BNG assessment to take into account for the loss of the trees on site since January 2000 - This has been provided and it has been confirmed by the ecological officer that this is acceptable, subject to conditions for BNG, the protection of the landscaping and the mitigation proposed in the ecology report (conditions 4, 11 and 12)

Service Lead – Sustainability and Natural Environment (Landscape)

- Comments received 29.5.25 – The proposal will result in the loss of trees and shrubs and therefore a loss of character, however this is similar to other already permitted developments in the area. Concerns in relation to plots 1 and 2 in relation to the trees and boundary treatments and the loss of character to the entrance as a result of the two new properties.
- Comments made 4th August 2025 – There is an improvement to the space between plots 3 and 4 and Orchard House, but apart from that there is little change.
- Comments made 14th Nov 2025 – the reduction of dwellings provides a modest increase in green space. The repositioning of plots 1 and 2 slightly addresses the original concerns, however still considered that this would result in overshadowing from the trees. Overall, there are improvements to the previous proposals.

Service Lead – Sustainability and Natural Environment (Trees)

- Comments received 13th June 2025 – concerns relating to plots 1 and 2 in relation to the trees to the east and the shading that this would have on the gardens and internal rooms. Further concerns in relation to the rear gardens of plots 5 and 6 in relation to the proximity of the trees
- Comments received 29th August 2025 – concerns still remain.

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Service Lead – Public Protection (Environmental Health)

- no objection, subject to contamination condition 15

Hampshire County Council (Highway Authority)

- No objections

Southern Water -

- No objection

Representations:

Councillors

Cllr Westwood - St Pauls Ward

'I am writing to formally object to the planning application at the White House for the proposed conversion of a single dwelling into six units. My objection is based on the following:

- The proposal fails to comply with Winchester District Local Plan Policies DM15, DM16 and CP20 regarding design, scale, and density in relation to local character.

- The proposal will have a negative impact on the biodiversity of the site contrary to the current and the emerging local plan. I am aware that 13 significant or mature trees were felled on the plot earlier in 2025 prior to the submission of the development proposal. The emerging local plan, which although still in inspection does carry some weight, recognises that biodiversity net gain on the site should consider the removal of these trees in the calculation of biodiversity net gain required by this development.

- Overdevelopment of the site contrary to the established low-density character and spacious nature of Sleepers Hill, as explicitly detailed in the Sleepers Hill Local Area Design Statement.

- The leafy, wooded character of Sleepers Hill was identified as being its most important characteristic during the public consultation on the Sleepers Hill Local Area Design Statement. The placing of houses and gardens (particularly family houses) within their shade, as proposed by this development, will create permanent pressures from the sun deprived residents of these new properties. The proposal is therefore contrary to sections 4.16 - 4.21 in the Sleepers Hill Local Area Design Statement. I agree with the final comment of the WCC landscape officer who concludes: "Given the above, the design suggests overdevelopment conflicting with the surrounds and lack of sympathy with the character of Sleepers Hill. It would benefit from a redesigned scheme that better suits the context and site's shape, reducing the number of dwellings proposed.'

Cllr Thompson - St Pauls ward

'I am writing to formally object to the above planning application which proposes to demolish the single dwelling on site known as The White House, and replace it with six houses. My primary objection is overdevelopment of the site. I believe squeezing in six

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houses on this site is contrary to the low-density character and spacious nature of Sleepers Hill as set out in the Sleepers Hill Local Area Design Statement. In addition, I am concerned about the impact on biodiversity of the site should this development be approved. I was alarmed to hear that earlier this year a number of significant trees were felled before the submission of the plans and I would ask that any calculation of biodiversity net gain should take account of this. Like my colleague Cllr Westwood in his objection to this scheme, I agree with the comments made by the WCC landscape officer when he says: "Given the above, the design suggests overdevelopment conflicting with the surrounds and lack of sympathy with the character of Sleepers Hill. It would benefit from a redesigned scheme that better suits the context and site's shape, reducing the number of dwellings proposed.'

City of Winchester Trust

- Objection - The trust supports the analysis made by the landscape officer and the conclusion that 6 houses represents overdevelopment and is detrimental to the woodland character of Sleepers Hill.
- The trust commented after the amended plans were submitted and didn't withdraw their previous objections.

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

- 6 dwellings would be overdevelopment
- Too dense
- Too much traffic
- Impact to trees
- Impact to neighbours
- Landscape harm
- Sewage concerns
- Doesn't meet design quality
- Loss of biodiversity

9 Objections were made since the amended plans were submitted on the 30th October, there were no new correspondence. The reasons for the objections were the following:

- Only a small reduction in floor area
- Still out of keeping as properties too large
- Impact to the trees
- Impact to neighbours
- Overdevelopment
- Traffic

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

- The smaller dwellings are needed for downsizers.
- There are good size rear gardens

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (NPPF)

1. Introduction

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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 (NPPG)

- Air quality
- Appropriate assessment
- Biodiversity net gain
- Climate change
- Community Infrastructure Levy
- Consultation and pre-decision matters
- Design: process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Flood risk and coastal change
- Healthy and safe communities
- Housing and economic land availability assessment
- Housing needs of different groups
- Housing supply and delivery
- Land affected by contamination
- Making an application
- Natural environment
- Travel Plans, Transport Assessments and Statements
- Tree Preservation Orders and trees in conservation areas
- Use of planning conditions
- Waste
- Water supply, wastewater and water quality

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

Policy DS1 – Development Strategy and Principles

Policy MTRA1 – Development strategy market towns and rural area

Policy MTRA2 – Market Towns and Large Villages

Policy CP1 - Housing Provision

Policy CP2 – Housing mix and provision

Policy CP7 - Open Space, Sport and Recreation

Policy CP10 - Transport

Policy CP11 – Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP14 – The effective use of land

Policy CP15 – Green infrastructure

Policy CP16 – Biodiversity

Policy CP17 – Flooding, Flood Risk and the Water Environment

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Policy CP20 – Heritage and Landscape Character
Policy CP21 – Infrastructure and community benefit

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

DM1 – Location of New Development
DM2 – Dwelling sizes
DM6 - Open Space for New Developments
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Design Principles
DM18 – Access and Parking
DM21 – Contaminated land
DM23 - Rural Character
DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Local Plan (Regulation 19) 2020 – 2040

SP1 – Vision and Objectives
SP2 – Spatial Strategy and Development Principles
CN4 - Water efficiency standards in new developments
CN5 - Renewable and low carbon schemes
D1 - High Quality, Well Designed and Inclusive Places
D2 - Design Principles for Winchester Town
T1 - Sustainable and Active Transport Travel
T2 - Parking for New Developments
T4 – Access for new developments
NE3 – Open space, sport and recreation
NE5 – Biodiversity
NE15 – Trees, Important hedgerows and ancient woodlands
NE16 - Nutrient neutrality
H4 – Development within settlements
H5 – Meeting Housing needs

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Air Quality Supplementary Planning Document 2021
Residential Parking Standards 2009
Winchester Landscape Character Assessment 2022
Winchester District Local Plan 2020-2040: Regulation 19 Consultation
Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030
Statement of Community Involvement 2018 and 2020
Landscape Character Assessment December 2021
Biodiversity Action Plan 2021
Position Statement on Nitrate Neutral Development – March 2022
Nature Emergency Declaration
Sleepers Hill Local Area Design Statement 2007 (SHLADS)

Planning Considerations

Principle of development
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Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF) 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 is now subject to public consultation on the Proposed Main Modifications. Therefore, the emerging policies can be given moderate to significant weight in the assessment of development proposals in advance of Adoption.

The site is located within the area of Winchester. Winchester has its own settlement boundary where the principle of development for housing is considered acceptable. This site is located within this boundary and the proposals are in accordance with policy DM1 of the Local Plan Part 2 and policy SP2 of the Emerging Local Plan.

Policy CP2 of the Local Plan Part 1 (LPP1) and policy H5 of the Emerging Local Plan considers housing mix. The policy requires that there should be a majority of 2 & 3 bed dwellings, unless local circumstances indicate an alternative approach should be taken.

The mix of dwellings comprises of:

- 2 x 2 bedroom dwellings
- 1 x 3 bedroom dwelling
- 2 x 4 bedroom dwellings

This provides over 50% 2 and 3 bedrooms. It is therefore considered that this proposal would sufficiently meet the criteria of policy CP2 of the Local Plan Part 1 and H5 of the Emerging Local 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 character and appearance of area

There is an existing large, detached dwelling in the centre of the site. This dwelling is located in the land to the rear of Highcroft. The proposal is to demolish the existing dwelling and replace with 5 detached properties.

The Sleepers Hill Local Area Design Statement (SHLADS) splits the area into character areas. This site is largely within Character area F, which is described as 'back land area of detached houses in well treed grounds including discrete cul-de-sac developments; area not visible from Sleepers Hill Road.' The existing drive and a small part of the southern section of the site is covered by character area A, which is described by 'Large detached houses in spacious grounds surrounded and screened by mature trees; entrances mostly discrete.'

The application was first submitted with a proposal of 6 dwellings on the site in the form of 4 detached dwellings and 2 semi detached dwellings. Concerns were raised that this resulted in a cramped form of development on the site with too much paraphernalia and not enough space and landscaping around the dwellings. Therefore, it was suggested by

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officers that a reduction in the number of the dwellings would be beneficial as this would result better placemaking of the site and help to reduce the pressures on the site as a whole.

A first round of amended plans were submitted in July, which were assessed by officers and it was considered that this did not go far enough to address the concerns.

Further amended plans were submitted in October, which made changes to:

- Reduction in the number of dwellings from 6 to 5.
- floor space reduction from 1,432sqm to 1,233 sqm
- increase of the front gardens of plots 3-5.
- increase spacing between plots 3-5 with the garage to the side of plot 3 being single storey
- Plot 5 garage detached and moved to the front of the plot
- Increase separation from boundary with Orchard House to 4.8m.
- Internal road reduced to 3.8m from 4.8m, this enabled plots 1 and 2 to be moved 1m west away from the boundary trees.

There is a reduction in the number of dwellings resulting in all 5 being detached dwellings. This is a cul-de-sac development of detached dwellings set off the road, behind a large house, set in woodland. This results in a development which is in line with the SHLADS character areas A and F, as explained above.

Although it is acknowledged that the amendments result in larger houses with higher ridge lines, there are larger gaps between the dwellings, resulting in better spatial qualities within the site that respect the character of the area of Sleepers Hill. The reduction in dwellings also results in less parking and more landscaping on the site, which is in line with the SHLADS on detached dwellings and adds to the overall spatial qualities of the site.

The applicant has amended elements of the design that officers felt were not acceptable. Overall, it is felt that a good level of architectural design has been employed in the proposals, with well considered façades that would result in a design that is acceptable in relation to the character of Sleepers Hill.

The applicant was encouraged to incorporate high quality materials in line with the High Quality Places Supplementary planning document. This is shown in the use of timber windows and slate roofs. Details and samples of the external materials of the dwellings are proposed to be required by condition to be submitted to the local planning authority before the commencement of this development to ensure that these are of high quality (condition 3).

Concerns were raised in relation to the entrance and the proposed dwelling at plot 1. As the character area describes this area as being 'reached solely by private roads, and densely screened from external view, this area does not contribute directly to the appreciation of Sleepers Hill in the public eye'. This was addressed by the applicant with the submission of a viewpoint of the access from Sleepers Hill in its current form, 1 year after the development, 5 years after the development and then 15 years after the proposed development. Although plot 1 can be seen from the access, it is considered that it would not result in a detrimental form of development within the area of Sleepers Hill. The

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proposals would conform more with character area A, which the driveway is located within, as it is a dwelling that is set back from the road at an oblique angle with vegetation softening the views of the built form. The submitted landscape plan has been conditioned. (condition 4)

Concerns have been raised by the tree and landscape officers in relation to the trees on the eastern edge of this site and the relationship with plots 1 and 2. Some amendments have been made to the plans, which reduces the width of the access driveway and then in turn allows for the dwellings to be moved away a further metre from the trees. While it is acknowledged that these dwellings are located close to these trees, these are TPO trees, the removal of which would require permission, and the occupiers of these dwellings will be aware of this when they purchase the property. These trees will overshadow plots 1 and 2 in the morning and then as the sun moves around there will be more light to these dwellings and their gardens later in the day, this is considered acceptable and not a reason for refusal.

Landscape

Landscaping is very important in this verdant location of Sleepers Hill. The reduction in the number of dwellings and the size of the units, results in more space for landscaping around the dwellings and a much more acceptable scheme in relation to the character of the surrounding area.

Therefore, it is considered that the proposal complies with the policies CP13 of the LPP1, DM15, 16 and 17 of the LPP2, D1 and NE9 of the emerging local plan and the supplementary planning document High Quality Places in that the design, layout, mass and bulk of the proposed dwellings is acceptable.

Development affecting the South Downs National Park

The application site is located 2.6 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

There will be no impact on the historic environment as the works do not affect a statutory Listed building or structure including its setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

Neighbouring amenity

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Plot 1 is situated on the eastern side of the site, there are rooms in the roof that are largely served by roof lights with a gable on the front elevation with a window to a landing area. There is a distance of 4.8m from the window to the boundary of the site to the west and approximately 25m to the nearest house 'Highcroft'. This is a significant distance and the window is not to a habitable room. Therefore, this would not result in an adverse impact of overlooking from this dwelling. There is a bedroom window to the side (north elevation), however there is a distance of approximately 24m to plot 2 to the north and therefore this would not result in a material planning harm to the amenities of this neighbouring property.

Plot 2 is the same layout as plot 1 with roof lights and a gable to the front for a landing area. There is a distance of 13.8m from this window to the proposed dwelling at plot 4, however as this is to a landing it is considered acceptable. There are side windows that serve bedrooms, but again the distance of approximately 24m would not result in an adverse overlooking impact to plot 1 to the south and there is a distance of 12.5m to the northern boundary with vegetation, and due to level changes this is acceptable.

Plot 3 has bathroom windows on both side elevations, which would be obscurely glazed and would prevent overlooking. The windows to the front look towards the turning area of this site, the rear windows look towards the dense line of vegetation to the western boundary of the site where there is a distance of 16.5m. There is a distance of 4m from the dwelling to the boundary to the south with Highcroft and a distance of 12.4m to the dwelling. When considering all of the above the proposed dwelling would not result in a material planning harm to any neighbouring amenities.

Plot 4 is to the north of plot 3. This has bathrooms on the upper floors of the side elevations, which would be obscurely glazed. Again, there are bedroom windows to the front and rear elevations with the front looking towards plot 2, which has a landing room window looking towards this property. The rear elevation has also got the dense line of trees between this and neighbouring properties. The impact to the neighbouring amenities has been assessed and any material harm will be avoided.

Plot 5 is to the north of plot 4 and has bathroom windows on the side elevations. The front windows look towards the front driveway area of this house and the proposed garage, the rear windows will look towards the trees to the rear. Therefore, this dwelling wouldn't result in overlooking harm. There is a distance of approximately 4.7m to the northern boundary with Orchard House, due to this distance and the location of this dwelling, to the south of Orchard House, an overbearing and overshadowing impact will be avoided.

Therefore, based on the above assessment, the proposal complies with DM15 and DM16 of the LPP2 and D7 of the emerging Local Plan.

Sustainable Transport

This assessment was done on the proposal for 6 dwellings and as this is a reduction in unit number, it wasn't considered necessary to carry the assessment out again.

The existing house is accessed off Sleepers Hill, which is a private road linking Romsey Roa and Sparkford Road.

Personal Injury Accident (PIA) Data

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According to the Transport statement, a review of the Hampshire Constabulary PIA database undertaken by the applicant has established that no accidents have been recorded in the last five-year period on Sleepers Hill and its associated junctions. The Highway Authority notes that the applicant has not supplied the accident data they refer to. However, due to a limited increase in traffic movements, the Highway Authority is satisfied that there are no existing accident clusters in the local area which may be exacerbated by the proposed development.

Access

The vehicular access to the proposed development will be via an existing improved access onto Sleepers Hill. The width of the site access will be 4.8m as shown on drawing no P24/17/S/101. According to Drawing no. NJC-001, visibility splays of 2.0m x 25m on both directions can be achieved for the speed limit of 20mph which aligns with the HCC TG3 and is therefore accepted by the Highway Authority. Drawing no NJC-002 demonstrates a car entering the site access whilst the second car is waiting to exit. The Highway Authority finds this acceptable.

Traffic Impact

A trips assessment has been carried out using the TRICS database. The resultant trip rates are 0.562 AM two-way peak trips and 0.477 PM two-way trips. This would result in a traffic generation of 3 vehicle in the AM peak and 3 vehicles in the PM peak and a total of 24 vehicles daily traffic. HCC raise no concerns over the increase in trips associated with the proposed development. It is considered that the volume of trips likely to be generated by the proposed development would not have a material impact on the operation of the road network or on the road safety.

Parking

It is noted that applicant has proposed a total of 13 parking spaces for the development as well as a cycle parking on each plot. It is considered that the proposed level of parking is acceptable and there is space to the front of garages in driveways for visitor parking and therefore there are no concerns regarding the overspill of parking onto the highway.

Servicing

It is noted that the site is currently serviced at the verge from Sleepers Hill and as a result of the proposed development, the type and frequency of the servicing is not expected to change. The Highway Authority finds this arrangement acceptable. It is further noted that a more frequent service will be by a Transit sized (internet, shopping, delivery) vehicles and as such a turning head has been provided between plot 1 and 2. Drawing no NJC-003 demonstrates this vehicle entering, exiting and turning in the site. The Highway Authority finds this arrangement acceptable.

There is no objection from the highway authority and the development therefore complies with the main principle of the SHLADS. Therefore, the proposal complies with policy CP18 of the LPP2 and T2 and T4 of the Emerging Winchester Local Plan with regards to impact on highway safety, traffic generation and adequate parking facilities on site.

Ecology and Biodiversity

A Preliminary Ecological Appraisal (PEA) (ProVision, 2025) and Biodiversity Net Gain Assessment (ProVision, 2025), and Statutory Biodiversity Metric were provided as part of this application.

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Appendix D of the PEA provides a plan showing species specific enhancement which should be conditioned.

The building and trees on site were considered to be of negligible suitability for roosting bats. It is also considered highly unlikely that dormouse are present within the woodland.

The site is considered to be of moderate suitability for foraging and commuting bats due to the woodland habitat. There were ecological concerns in relation to the loss of woodland on site. A technical note was submitted during the process of this application which explains that there are existing residential pressures on this woodland and that part of it has been removed anyway since the PEA was undertaken and therefore the remaining is not suitable for retention. Notwithstanding this, further concerns were raised in relation to the loss of connectivity of habitat.

This has been addressed by the applicant in the form of a landscape buffer to the west of the site and the northern part of plot 5. This will be sectioned off by a chain link fence and a condition on this application will require that it remains (Condition 4). Officers find this solution acceptable.

Biodiversity Net Gain

The applicant proposes to provide BNG off site. The metric is being revised to include all the trees that were removed prior to the application being submitted, these will therefore have to be mitigated for in the Biodiversity Gain plan. The amended plans show an increased buffer, which will reduce the loss of BNG on site and be factored into the metric. However, it is likely that most of the mitigation will be achieved off site.

While not ideal, it is acceptable under national legislation to deliver 10% BNG offsite, and for the details to be secured at the discharge of condition stage (condition 12). The individual trees are considered a significant enhancement and as such the management and maintenance of this habitat will need to be secured for 30 years.

Biodiversity Enhancement Plan

A plan showing the location of bat and bird boxes is included in the submitted information, which is acceptable.

The proposal therefore complies with policy CP16 of the LPP1 and NE1 and NE5 of the Emerging Local Plan.

Appropriate Assessment

Nitrate Budget

The nutrient budget demonstrates that there will be a nutrient input into the Solent catchment area of 0.17 kilograms of total nitrate per year (kg/TN/year, with 20% buffer applied). It is therefore likely that more nitrates will enter the catchment as a result of the new development, however its effect cannot be confirmed, and neither can nitrate neutrality.

Phosphate Budget

The phosphate budget demonstrates that there will be 0.00 kilograms of total phosphates per year (kg/TP/year). Therefore it is likely that no more phosphates will enter the catchment as a result of the new development and therefore this will result in a neutral effect.

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The applicant has intimated that they will enter into a legal agreement, which has been submitted to the planning department and is acceptable in principle, to purchase the above amount of credits from landowner (Roke Manor Farm) to offset the impact of their development on the water environment of the Solent.

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 nitrogen neutral development and the guidance on nitrogen and phosphorous from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition (condition 21) complies with this strategy and would result in nitrogen and phosphorous 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 and the emerging Local plan policy NE16.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 4 for the Energy aspect of the Code for Sustainable Homes (CfSH) and Level 4 for the water aspect. The emerging policies will work to a different regime from the CfSH.

The dwellings will be energy efficient, incorporating fabric insulation standards. The houses will have air source heat pumps and benefit from solar panels where required.

Conditions 7 and 8 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

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

Sustainable Drainage

The site is located within Flood Zone 1 and presents a low risk of pluvial flooding.

Regarding surface water drainage, the proposed layout incorporating infiltration SuDS with permeable paving and a voided sub-base is acceptable in principle. However, the submission of BRE Digest 365 (2016) tested infiltration rates and detailed hydraulic calculations for the proposed SuDS is required. This is necessary to demonstrate that surface water runoff from the development will not result in on-site flooding or increase flood risk elsewhere, considering up to the 1 in 100-year storm event, inclusive of a 45% allowance for climate change and a 10% allowance for urban creep. This is proposed to be conditioned.

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With respect to foul drainage, Southern Water has confirmed sufficient capacity within their network in the Dawn Gardens area to accommodate the developments discharge.

The drainage engineer raises no objection subject to the formal communication between the developer and Southern Water and the submission of a formal application and a condition requiring the submission of detailed foul and surface water drainage schemes to ensure the implementation of adequate and sustainable drainage systems.

Therefore, the proposal complies with policy DM15 of the LPP2 and NE6 of the Emerging Local Plan, subject to condition 9.

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 proposal is for the demolition of The White House and the construction of 5 residential dwellings. There have been amended plans submitted as part of this application, which have been reconsulted on and assessed by officers.

The proposal is located within the development boundary of Winchester, where new residential development, is in principle acceptable, it meets the housing mix.

The layout and the design is considered acceptable in relation to the character of the surrounding area, and it would not result in any unacceptable impact towards neighbouring amenities.

The parking provision and access is acceptable and meets the highways standards.

The applicant has worked with officers, and it is considered that the resulting scheme can be supported.

Other planning considerations, such as landscape, ecology drainage, water, construction and waste management have been addressed appropriately. The application is therefore considered acceptable.

Recommendation

Application Permitted subject to the following conditions:

Conditions

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

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

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

- P24/17/S/100 Location plan
- P24/17/S/101B Site Layout & Roof Plans
- P24/17/S/102B Context Block Plan
- P24/17/S/103C Street Scene Elevations
- P24/17/S/110B Floor Plans & Elevations Plot 1
- P24/17/S/111B Floor Plans & Elevations Plot 2
- P24/17/S/112B Floor Plans & Elevations Plot 3
- P24/17/S/113B Floor Plans & Elevations Plot 4
- P24/17/S/114B Floor Plans & Elevations Plot 5
- 225-0101 Rev D Landscape Strategy Plan

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

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

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

4. The development hereby permitted shall be carried out in accordance the landscape strategy plan 225-0101 Rev D and a detailed landscaping management, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development above damp proof course level commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

5. The boundary treatment shall be carried out in accordance with the submitted landscape strategy plan (225-0101 Rev D). Details of the brick used in the proposed brick walls and piers shall be submitted and approved in the material schedule. The boundary treatment shall be completed before the development hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

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

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

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

10. The developer must advise the local planning authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance, prior to the commencement of the development.

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

11. Development shall proceed in accordance with the measures set out the submitted preliminary ecological appraisal by pro vision (Ref. Ecology 8566 V4) dated November
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2025 and the ecological buffer on the western boundary of plots 3, 4 and 5 and part of the northern boundary of plot 5, shown on the landscape plan (225-0101 Rev D). Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

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

12. Development may not be begun on site unless:

- (i) a Biodiversity Gain Plan has been submitted to the LPA; and
- (ii) The LPA has approved the Biodiversity Gain Plan; and
- (iii) a proposed definition of 'completion of development' in respect of the development hereby approved has been agreed by the LPA.

In making an application to discharge the biodiversity gain condition the following information shall be provided:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

The off site BNG shall be secured to the satisfaction of the LPA to commence upon the completion of development as agreed in (iii) above.

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 193 of the National Planning Policy Framework 2024.

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

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

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

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

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

Note to applicant: Further information and guidance for developers on the bullet points above can be found on the Winchester City Council website:

<http://www.winchester.gov.uk/environment/pollution/construction-sites/>

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

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

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

16. Protective measures, including, e.g: fencing, ground protection, supervision, working procedures or special engineering solutions shall be carried out in strict accordance with the Technical Arboriculture arboricultural impact appraisal and method statement, ref: AIA/AMS-KC/SH/WHITEHOUSE/001, dated April 2025. This AIA/AMS to be updated and approved by WCC as necessary in respect to the submitted revised drawings received in July 2025.

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Reason: To ensure that suitable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (Dec 2024) and policy DM15 of the adopted Winchester District Local Plan Part 2 2016.

17. An electric vehicle charging point (EVCP) shall be installed prior to the commencement of the parking hereby approved, and thereafter maintained and kept in good working order for the lifetime of the permission.

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

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the side elevations of plots 3, 4 and 5 and the front elevations of plots 1 and 2 hereby permitted.

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

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

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

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no development permitted by Classes A, B and C and E of Part 1 Schedule 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

21. 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

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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.

22. All bathroom windows on all the dwellings hereby permission shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, and the glazing shall thereafter be retained in this condition at all times.

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

Informatives:

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

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

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

02. This permission is granted for the following reasons:

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA2, CP1, CP2, CP7, CP10, CP11, CP13, CP14, CP15, CP16, CP17, CP20 and CP21

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM2, DM6, DM15, DM16, DM17, DM18, DM21, DM23, DM24, DM29 and DM31

Emerging Local Plan 2020 – 2040

SP1, SP2, CN4, CN5, D1, D2, T1, T2, T4, NE3, NE5, NE15, NE16, H4, H5

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

05. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement

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Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

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

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

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

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

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

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

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

09. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.

10. Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake building works outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is no

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alternative to doing the work during this period then a thorough and careful examination of the affected areas must be carried out before the works starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and works can only recommence once the nest becomes unoccupied of its own accord.

11. Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

The planning authority, for the purposes of determining whether to approve the Biodiversity Gain Plan, would be Winchester City Council

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan)

12. The dwellings have been designed in accordance with the relevant British Standard codes of practice to optimise daylight entering the buildings. This note should be referenced in response to any unreasonable requests related to issues such as branch or tree encroachment, seasonal tree foliage, or diminished daylight levels, which may lead to requests for pruning or removal of branches or trees on or adjacent to the site.

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The White House

Construction of five houses and associated works

Location plan



Proposed site layout



Block plan

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Street scenes



ILLUSTRATIVE STREET SCENES A-A (north-west facing)
Scale 1:200 @ A1



ILLUSTRATIVE STREET SCENES C-C (south-west facing)
Scale 1:200 @ A1



ILLUSTRATIVE STREET SCENES B-B (south-east facing)
Scale 1:200 @ A1

Plots 1 and 2 elevations



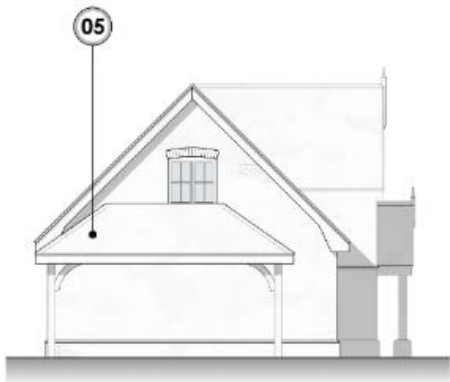
FRONT ELEVATION
Scale 1:100 @ A1



SIDE ELEVATION
Scale 1:100 @ A1



REAR ELEVATION
Scale 1:100 @ A1



SIDE ELEVATION
Scale 1:100 @ A1

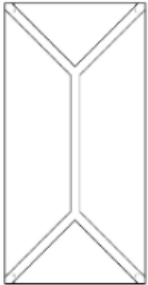
Plots 1 and 2

floor plans

Page 45



GROUND FLOOR PLAN
Scale 1:100 @ A1



FIRST FLOOR PLAN
Scale 1:100 @ A1



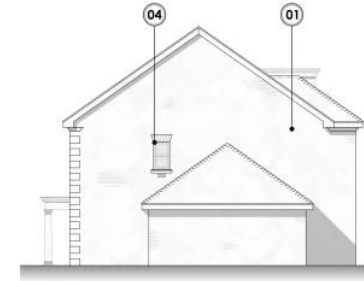
FIRST FLOOR PLAN
Scale 1:100 @ A1

Plot 3 – Elevations and floor plans



FRONT ELEVATION
Scale 1:100 @ A1

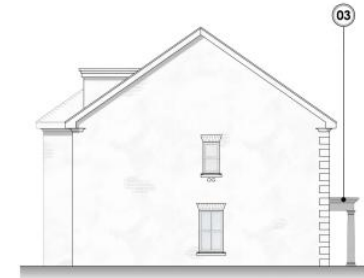
05



SIDE ELEVATION
Scale 1:100 @ A1



REAR ELEVATION
Scale 1:100 @ A1



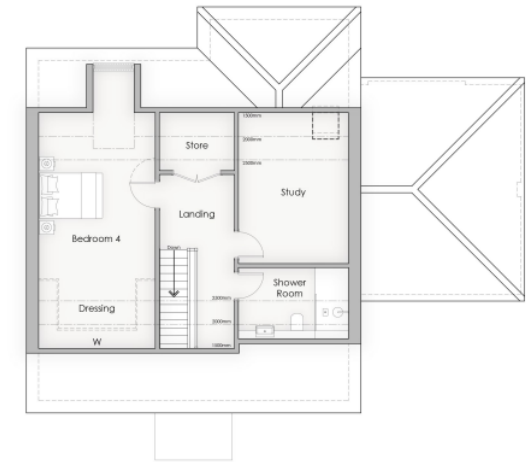
SIDE ELEVATION
Scale 1:100 @ A1



GROUND FLOOR PLAN
Scale 1:100 @ A1



FIRST FLOOR PLAN
Scale 1:100 @ A1



SECOND FLOOR PLAN
Scale 1:100 @ A1

Plot 4 – elevations and floor plans

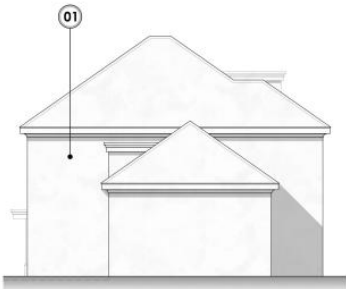
Page 47



FRONT ELEVATION

Scale 1:100 @ A1

05



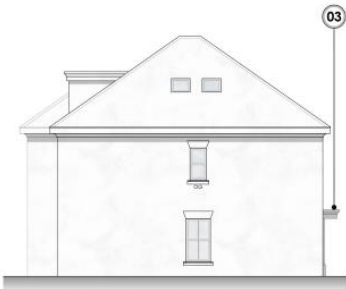
SIDE ELEVATION

Scale 1:100 @ A1



REAR ELEVATION

Scale 1:100 @ A1



SIDE ELEVATION

Scale 1:100 @ A1



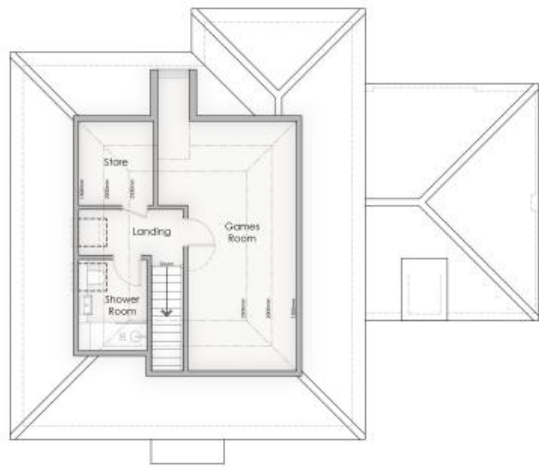
GROUND FLOOR PLAN

Scale 1:100 @ A1



FIRST FLOOR PLAN

Scale 1:100 @ A1



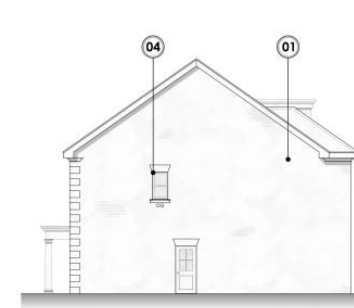
SECOND FLOOR PLAN

Scale 1:100 @ A1

Plot 5 – elevations and floor plans



FRONT ELEVATION
Scale 1:100 @ A1



SIDE ELEVATION
Scale 1:100 @ A1



REAR ELEVATION
Scale 1:100 @ A1



SIDE ELEVATION
Scale 1:100 @ A1



GROUND FLOOR PLAN
Scale 1:100 @ A1



FIRST FLOOR PLAN
Scale 1:100 @ A1



SECOND FLOOR PLAN
Scale 1:100 @ A1

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Existing



1 year after
development
built



5 years after
development
built



Page 51

15 years
after
development
is built



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Case No: 25/00680/FUL
Proposal Description: Demolition of dwellinghouse
Address: Knowsley Hoe Road Bishops Waltham Southampton Hampshire
Parish, or Ward if within Winchester City: Bishops Waltham Parish Council
Applicants Name: Mrs Eileen Fletcher
Case Officer: Ethan Townsend
Date Valid: 17 April 2025
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 25/00680/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that with the attached conditions the development would not have an adverse impact upon the character and appearance of the area in accordance with Policies DM15 and DM16 of the LLP2 D1 of the Emerging Local Plan, and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2 and D7 of the Emerging Local Plan.

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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 a detached bungalow located near the corner of Rareridge Lane and Hoe Road within the settlement boundary of Bishops Waltham. The site is currently vacant, with dense hedging/shrubbery to the front. The application site sits within a continuous row of dwellings that line the northern part of Hoe Road. The majority of dwellings along this part of Hoe Road are detached bungalows, many of which have been altered and extended during the course of their lifetime.

Proposal

The application seeks consent to demolish the existing dwellinghouse at the site.

Relevant Planning History

None.

Consultations

Service Lead – Sustainability and Natural Environment (Ecology)

- No objection subject to conditions.
- Content with survey work.
- Recommend condition on external lighting.

South Downs National Park Authority

- No comments

Representations:

Bishops Waltham Parish Council provided a neutral comment on the application. The Parish Council requested that the LPA ensure necessary surveys are carried out to ensure biodiversity/nature is not harmed. Request that demolition works do not impact neighbouring amenity.

60 Objecting Representations received from 54 different addresses within the Winchester District citing the following material planning reasons:

- Insufficient justification to demolish the house – the house is habitable
- Lack of ecological survey and biodiversity enhancements
- Inaccuracies in Biodiversity Checklist
- Proximity to South Downs National Park

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- Proximity to SSSI
- Harm to the character and appearance of the street scene due to loss of dwelling
- Contradicts sustainability policies
- Damage to trees and hedges on site
- Loss of a dwellinghouse

The following considerations were raised but are not material planning considerations for this application:

- Concern that the development would be used to provide access for future housing development in the area behind.
- Concerns related to future housing development (traffic, biodiversity, impacts, etc).
- Impacts on boundary treatments – party wall agreement

No supporting representations received.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (NPPF)

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 12 Achieving well designed places

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

Section 16 Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

Biodiversity Net Gain

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Natural Environment

Use of planning conditions

When is Permission Required?

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

DS1 – Development Strategy and Principles

MTRA2 – Market Towns and Larger Villages

CP13 – High Quality Design

CP16 – Biodiversity

CP17 – Flooding, Flood Risk, and the Water Environment

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

DM1 - Location of New Development

DM16 - Site Design Criteria

DM17 - Site Development Principles

DM18 - Access and Parking

DM24 - Special Trees, Important Hedgerows & Ancient Woodlands

Local Plan (Regulation 19) 2020 – 2040

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SP1 - Vision and Objectives
SP2 - Spatial Strategy and Development Principles
D1 - High Quality, well designed and inclusive places
D4 - Design Principles for Market Towns and Rural Villages
D7 - Development Standards
T2 - Parking for New Developments
NE5 - Biodiversity
NE6 - Flooding and Flood Risk
H4 - Development Within Settlements

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Bishops Waltham Village Design Statement 2016

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Nature Emergency Declaration.
Statement of Community Involvement 2018 and 2020

Planning Considerations

Background

Does demolition require consent?

Section 55 of the Town and Country Planning Act sets out the meaning of development. "Development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. For the purposes of this Act, building operations includes demolition of buildings.

The Town and Country Planning Demolition Direction 2021 identifies that demolition should not be taken to involve development of land when it involves a building that does not exceed 50 cubic metres. The application dwelling exceeds this threshold. As such, the proposal is 'development' for the purposes of the Town and Country Planning Act.

Demolition is usually controlled under Permitted Development rights (Schedule 2, Part 11, Class B). Permitted Development rights would allow for the building to be demolished, subject to a Prior Approval application with information regarding the proposed method of demolition and any proposed restoration of the site. A full application has been submitted for the proposed demolition, and not a prior approval application, and therefore this application will consider all relevant material planning considerations.

What is considered under this planning application

During the consultation period for the application, numerous comments were received from interested parties regarding how the site may be used in the future. Concerns were raised regarding the site's potential to be used as an access track for a development to the rear. A planning application must focus on the specific development being applied for and be considered on its merits. Therefore, in this case, consideration of this application relates to
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the demolition of the dwellinghouse. If the land was proposed to be used for any other purpose in the future, materially different to its lawful planning use, as a residential dwelling and garden, then this would require consent in its own right and an application would need to be submitted.

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF) 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 is now subject to public consultation on the Proposed Main Modifications. Therefore, the emerging policies can be given moderate to significant weight in the assessment of development proposals in advance of Adoption.

The dwelling is not within a conservation area nor is it identified as a designated or non-designated heritage asset. There is no policy within the Development Plan that specifically addresses demolition of dwellinghouses. The application site is situated within the defined settlement boundary of Bishops Waltham. Therefore, the principle of demolishing the dwelling is considered acceptable subject to compliance with the Development Plan as a whole and material planning considerations.

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 surrounding area is predominantly residential in character. Due to its modest scale, its positioning set back within the plot, and the presence of a substantial front hedge, the existing dwelling does not appear prominent within the street scene. The application site forms part of a continuous row of detached dwellings along the northern side of Hoe Road. Most properties in this section of the road are detached bungalows, many of which have undergone alterations and extensions over time. The application site and neighbouring properties on the northern side of Hoe Road are typically set within long, narrow plots. Plot sizes are generally consistent from The Beeches (on Rareridge Lane) to Four Farthings (on Hoe Road), although some variation in plot dimensions exists across the wider area.

The proposal would result in the loss of the existing dwelling, creating a break in the rhythm of development along this stretch of the road. However, this disruption does not, in itself, constitute demonstrable harm. Planning policies (DM15 and DM16 of the LPP2) and the NPPF (2024) require that any harm must be significant and adverse to justify a reason for refusal. In this case, the openness created by the loss of the building would not appear harmfully out of keeping with the wider character of the area, particularly given the fact that there is variation in plot sizes and building forms along Hoe Road.

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Furthermore, the imposition of a condition requiring a detailed landscaping scheme to be submitted and approved by the LPA will ensure that the site has an appropriate appearance following demolition. This will help to soften the visual impact of the site post-demolition. Subject to ensuring boundary treatments and trees/vegetation are maintained and enhanced, it is considered that the site would still maintain a broadly coherent appearance along the street frontage.

In summary, while the proposal would result in the loss of a dwellinghouse within an established residential area, subject to an appropriate landscaping condition it cannot be said to result in material harm to the character or appearance of the area that would justify refusal. As previously stated, it is also noted that the proposal could be carried out under permitted development, subject to submitting a Prior Approval application. Based on the above, it is considered that the proposal complies with DM15 and DM16 of the LPP2 and D7 of the Local Plan (Regulation 19) 2020-2040.

Development affecting the South Downs National Park

The application site is located 90 metres from the South Downs National Park (SDNP).

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.

The South Downs National Park Authority was consulted on the application and made no comments.

Taking account of the Park's purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, the development, due to the distance and intervening features, and the nature of the existing bungalow, is considered to have a neutral impact on the setting of the Park and does not therefore adversely conflict with the statutory purposes of the SDNP designation.

In conclusion, the development is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

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 nearest listed building is 77m to the east, however, due to the intervening-built development, no impact upon its setting is identified.

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

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land or neighbouring amenities by reasons of overlooking, overshadowing or overbearing, or any other adverse impact to primary amenity spaces. Policy D1 of the Emerging Local Plan shares these requirements.

The proposal seeks the demolition of the dwellinghouse and therefore there would be no overlooking, overshadowing or overbearing impact upon neighbouring properties.

It is acknowledged that the demolition of the dwellinghouse will inevitably result in a degree of noise and disturbance to neighbouring properties. However, such disruption is expected to be temporary and limited to the duration of the demolition works.

To ensure that the process is effectively managed, a planning condition has been recommended requiring the submission of detailed information regarding the proposed method of demolition and a site restoration plan. These details must be approved prior to the commencement of development.

Subject to compliance with this condition, it is considered that there are adequate safeguards in place to minimise adverse impacts on the surrounding area from the proposed demolition. The proposal is considered to comply with Policy DM17 of the LPP2 and D1 and D7 of the Emerging Local Plan.

Sustainable Transport

The proposed development will not impact the access or turning provision within the site. The development will have no impact on highway safety, as the proposal only seeks to demolish the house, with no new operational development is proposed.

Therefore, the proposal complies with policy DM18 of the LPP2 and T2 of the Emerging Local Plan.

Ecology and Biodiversity

Nutrients

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) and clearly, no new overnight accommodation is proposed that might affect Nitrates.

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

Protected Species

With regards to protected species, Government Circular 06/2005 advises that the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. It also states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Planning Practice
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Guidance states that planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications.

In England and Wales, all bat species and their roosts are legally protected under the European Habitats Directive (1992); the Conservation of Habitats and Species Regulations (2017); the Wildlife and Countryside Act (1981) (as amended); the Countryside and Rights of Way Act, 2000; and the Natural Environment and Rural Communities Act (NERC, 2006).

During the course of the application an Ecological Impact Assessment was submitted. The Ecological Impact Assessment by Darwin Ecology (September 2025) identified that the building hosts a high roost suitability for protected species (bats) and therefore 3 emergence surveys were carried out. The Authority's Ecologist has been consulted on the application, and they are satisfied that the required amount of survey work has been undertaken, and it is in accordance with the best practice guidance. No bats were recorded during the surveys and so it is concluded that the dwelling does not support bat roosts. An informative has been recommended to remind the applicant of their responsibility in the unlikely event that a bat roost is discovered during the demolition works.

Paragraph 6.8 in the Ecological Impact Assessment by Darwin Ecology (September 2025) references bat sensitive lighting to be used during the demolition works (if required) this is to avoid any impacts on commuting and foraging bats that were recorded in the emergence surveys. The Authority's Ecologist agrees with these recommendations and as such, a condition has been attached to secure this.

Biodiversity Net Gain

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. Regulation 4 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 the demolition of the dwellinghouse on site. The building has a biodiversity value of zero. As previously stated within this report, a condition has been recommended to secure how the site would look post-demolition to ensure that the site is appropriately landscaped, and vegetation is not harmed. The proposal would comply with the de minimis exemption.

Biodiversity and Ecology - Conclusion

In conclusion, the application has been accompanied by appropriate ecological surveys which have not identified the presence of any protected species within the dwelling. Subject to the recommended conditions, the demolition of the dwellinghouse would not have a harmful impact upon biodiversity and protected species. Therefore, the proposal complies with policy CP16 of the LPP1 and NE5 of the Local Plan (Regulation 19) 2020-2040 and relevant legislation as outlined above.

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Sustainable Drainage

The Environment Agency's flood maps have been reviewed, and the site lies within Flood Zone 1, an area with the lowest probability of flooding, specifically less than a 0.1% annual chance of river or sea flooding. The site has not been identified as being at risk of surface water flooding.

The proposal will not impact surface water drainage negatively, as it involves the demolition of the existing dwellinghouse, which would reduce plot coverage, thereby improving the site's ability to manage surface water. Additionally, as no new operational development is proposed, there is a reduced requirement in respect of foul water/connection to mains drainage.

Therefore, the proposal complies with policy CP17 of the LPP1 and NE6 of the Emerging Local Plan.

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

In summary, while the proposal would result in the loss of a dwelling resulting in some disruption to the pattern of development within an established residential area, it is not considered to cause material harm to the character or appearance of the locality, provided that an appropriate landscaping scheme is secured through a pre-commencement condition. Furthermore, appropriate conditions have been recommended to ensure that the demolition does not result in harm to neighbouring amenity and protected species.

Recommendation

Permit subject to the following conditions:

Conditions

1. Time

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. Prior to the commencement of the demolition, details of the proposed method of demolition and a proposed site restoration plan should be submitted to and approved in writing by the Local Planning Authority. The demolition and restoration plan shall be implemented in full during the course of the works.

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Reason: To ensure that the demolition of the dwellinghouse would not result in harm to the character or appearance of the area and neighbouring amenities.

3. Prior to the commencement of development, a detailed scheme for hard and soft landscaping, including any existing vegetation, and any proposed tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the completion of the demolition. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

4. Details of any external lighting (both during demolition and operation) of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles) and hours of operation. Any exterior lighting should accord with the Institute of Lighting Professionals (ILP) and the Bat Conservation Trust (BCT) bats and artificial lighting guidance note 08/23. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the landscape character of the area from light pollution and to minimise the impact on surrounding habitats and protected species.

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:

- the applicant/agent was advised of minor changes required to the application and these were agreed.
 - the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application
2. 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

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

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

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

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

4. The applicant should note that this permission does not give any property rights to building on or encroach over or under the adjoining property. The applicant may be required to serve notice under the Party Wall etc Act 1996.
5. All bat species are protected under European Law within the E.C. Habitats Directive and under British law within the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). The applicant is advised that should bats be present, works must stop, and a Natural England European Protected Species licence may be required before recommencing.
6. 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.

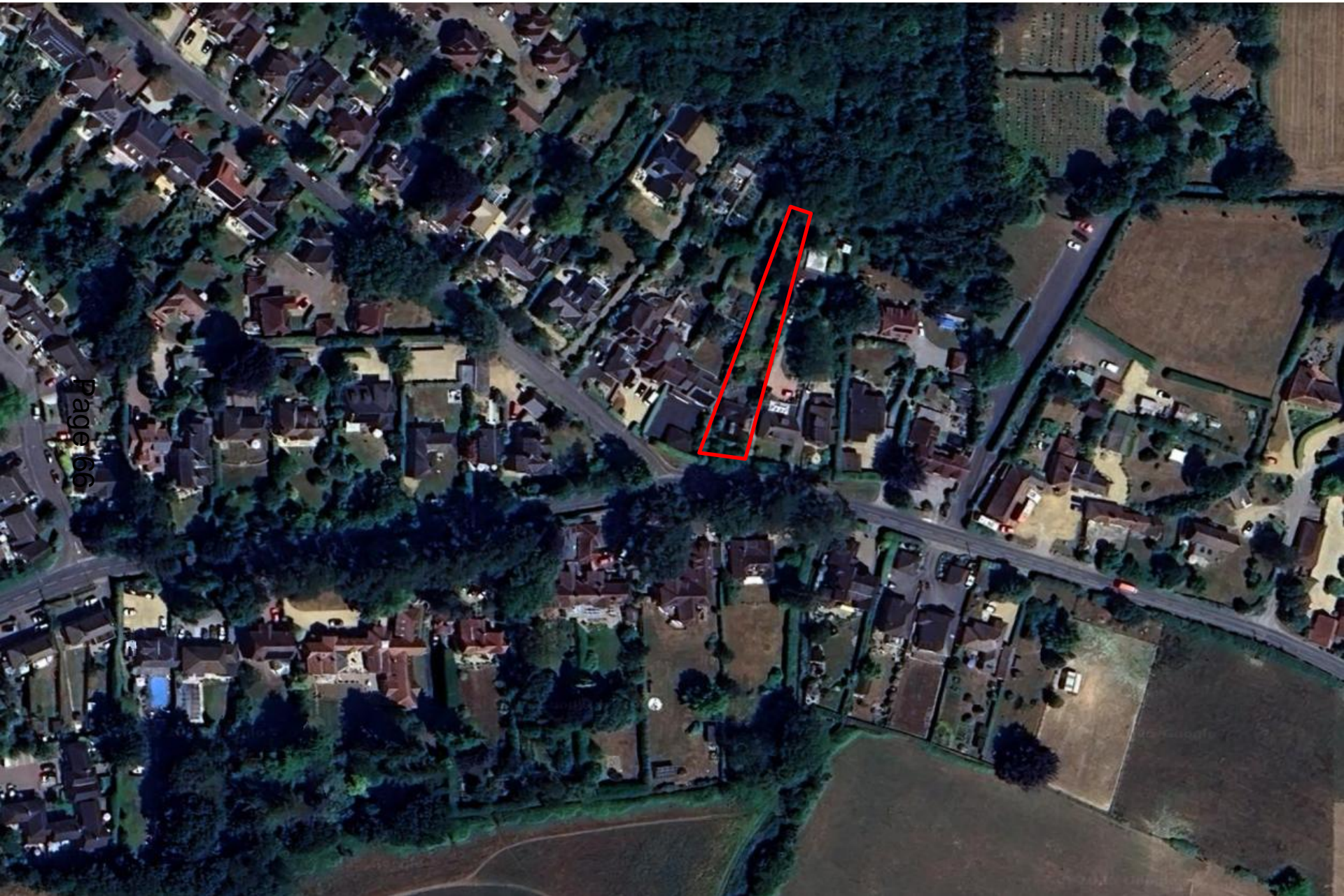
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Knowsley, Hoe Road, Bishops Waltham, Southampton, Hampshire, SO32 1DS

Demolition of dwellinghouse

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View towards site from Hoe Road (eastbound)

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Photographs of site



Site Photographs

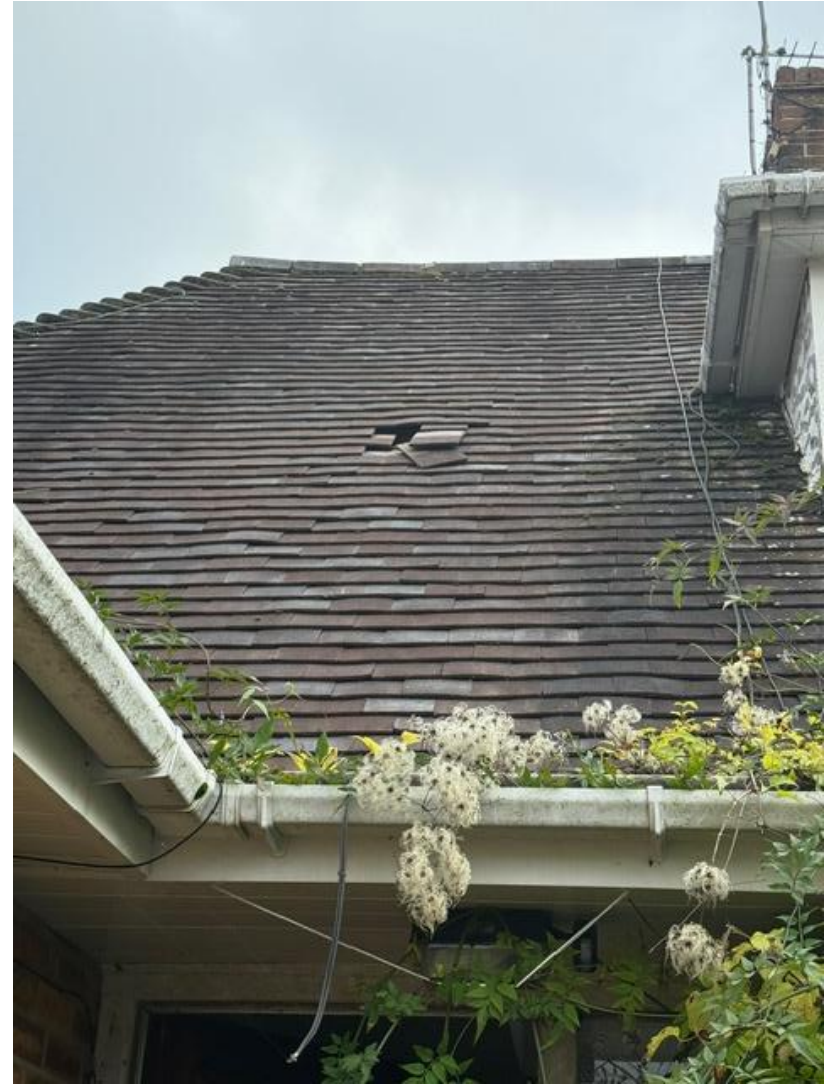


Internal Photographs



State of Existing Building

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RECOMMENDATION - APPROVE

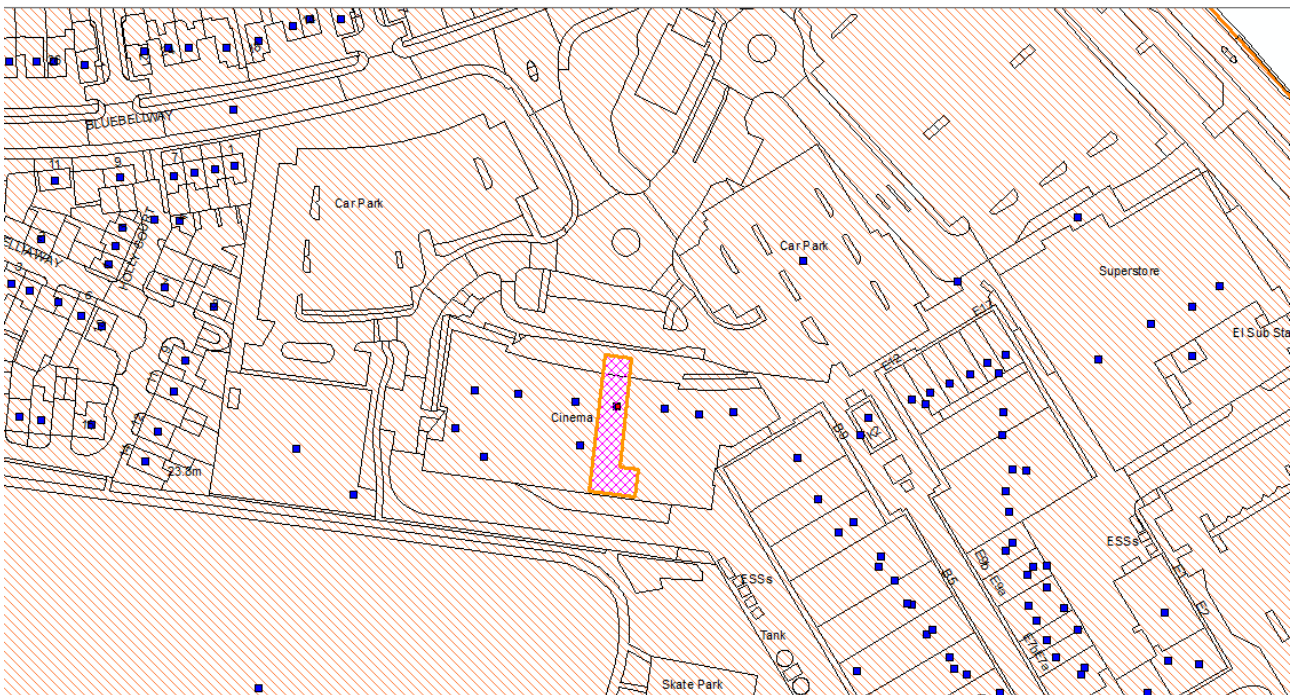
Proposal complies with Local Plan policies as set out within the report.

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Case No: 25/01883/VAR
Proposal Description: Variation of condition 4 of planning application 14/02677/FUL relating to the extension of operating hours for unit F4
Address: Unit F4 Whiteley Shopping Centre Whiteley Way Whiteley Fareham
Parish, or Ward if within Whiteley Town Council
Applicants Name: JD Wetherspoon plc
Case Officer: Joe Toole
Date Valid: 15 September 2025
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 25/01883/VAR](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that the extension of operating hours would not have an adverse impact on the character of the area in accordance with Policies DM15 and DM16 of the LPP2 and D1 of the Emerging Local Plan, and would not result in significant harm to the amenities of neighbouring residential properties, sufficient to warrant a reason for refusal in accordance with policy DM17 of the LPP2 and D7 of the Emerging Local Plan.

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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

The proposal was originally to change the operation hours of Unit F4 to 07:00 – 00:00. During the course of the application, this has been amended to be from 08:00 to 00:00 to mitigate the impact of the development on neighbouring residential properties. This resulted in amendments to the Planning Statement and the Premise Management Plan.

Site Description

Unit F4 is situated within the northern section of Whiteley Shopping Centre, a retail and leisure development located between Portsmouth and Southampton, off Junction 9 of the M27 motorway. The shopping centre, opened in 2013, featuring over 50 stores, restaurants and cafes.

Unit F4 is part of the centre's leisure complex, which includes a cinema and several dining units. The unit to which this application relates was formally Jurassic Grill.

To the north and west of the unit there is residential development and to the south and east there is a mixture of commercial development and a recreation park.

Proposal

The proposal is to extend the operational hours for Unit F4 from 07:00 to 23:00 Monday to Saturday and 10:00 to 22:00 on Sundays and Public Holidays to 08:00 to 00:00 on all days, including Sundays and Public Holidays.

A Lawful Development Certificate was granted under reference 25/01102/LDP confirming Unit F4 as a Public House (Sui Generis use).

Relevant Planning History

Application Ref.:	Proposal	Decision & Date
13/00157/FUL	(AMENDED PLANS - (Removal of footpath links to recreation ground and Camellia Way, installation of traffic control boom) Development comprising 9 screen multiplex cinema and 2633sq meters of supporting ground floor units within use classes A3, A4, D1 and D2; adjustments to the landscaping and car parking provision, introduction of an acoustic fence and associated	Approved 17.05.2013 Condition 4 part iv imposed: No ground floor unit or premises shall be open to customers or patrons outside 0700 to 2300 Monday to Saturday and 1000- to 22.00 on Sundays and recognised

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	ancillary works at Whiteley town centre	Public Holidays and shall not conduct any form of trade outside those hours.
14/02677/FUL	Removal of condition 4 and 19 to permitted permission 13/00157/FUL to extend the trading hours of ground floor units F6 and F7 within the cinema complex	<p>Approved 21.04.2015</p> <p>Condition 4 part iv imposed:</p> <p>(No ground floor unit or premises shall be open to customers or patrons outside 0700 to 2300 Monday to Saturday and 1000- to 22.00 on Sundays and recognised public holidays except for units F6 and F7 which shall not be open to customers or patrons outside the hours of 07.00 to 23.30 Monday to Saturday and the hours of 10.00 to 23.00 on Sundays and recognised public holidays. No trade of any form shall be conducted outside these hours.</p>
25/01102/LDP	Confirmation of Unit F4 as Public House (Sui Generis) (Amended Description)	Lawful Development Certificate Approved 25.07.2025

Consultations

Service Lead – Public Protection (Environmental Health)

No adverse comments to this application, subject to a condition requiring that the 'Premise Management Plan' submitted as part of the application, forms part of the granted planning permission.

Service Lead – Licensing

Licence approved. You will see that the hours granted for licensable activities are until 23.30 and the opening hours until 00.00.

A licence can be granted, as in this case, without the appropriate planning permission in place. The licence is not permitted to be used by the licence holder for licensable activities outside of any hours granted by planning, until such time that they are updated.

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Objections were received for the licensing application; however, the licence was granted after a Licensing sub-committee hearing.

Representations:

Councillor Vivian Achwal, Ward Councillor for Whiteley

Strongly object to the working hours being extended.

Having checked the neighbouring drinking establishments surrounding the Whiteley area, none of them are open after 2300 hours. In fact, some close at 22:00. I therefore see no reasons at all that an extension of opening hours until midnight should be permitted.

The proposed site at Unit 4 at Whiteley Shopping Centre is opposite many residents' homes and the disturbance that might be caused by customers leaving the establishment late at night, in fact in the early hours of the morning, is not acceptable in a quiet residential area. I know a number of residents who live next to or opposite Unit 4, they do shift work and need to be able to sleep in a calm environment.

I live on a main road in Whiteley, our bedroom faces the main road. We have been disturbed late at night by patrons walking home after being at The Parsons Collar, with loud noises and screaming! I have also witnessed patrons when walking home finding open areas and public spaces to use a public toilet on their way home from the pub!

If the Officers are minded to extend the opening hours and support this application, please can I ask that it goes to the planning committee to make a decision and that there is a site visit before the committee meeting.

Whiteley Town Council

Object: closing time should be 11.30pm as for the other businesses. This will set an unwelcome precedent and increases the risk of noise nuisance and anti-social behaviour impacting on the adjoining residential areas.

Neighbour Comments

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

- Not necessary as other restaurants are not open late
- Concerns with crime, anti-social behaviour and litter
- Noise and disturbance concerns on surrounding residential properties
- Significantly different times to other premises
- Economic pressure on nearby establishments to extend their hours of operation to succeed

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

- Good additional to other surrounding businesses

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- Opening hours should not be a problem provided they are enforced and reporting arrangements are in place for any issues
- Would offer a safe, well managed environment for those who wish to stay out a little later
- Strong reputation for discouraging antisocial behaviour and ensuring customer safety
- Large CCTV coverage
- Proposed hours are consistent with licensing norms for a mixed-use leisure and retail centres
- Most customers indoors
- Boost for local economy

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (NPPF)

1. Introduction
2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
11. Making effective use of land
12. Achieving well-designed places

National Planning Practice Guidance (NPPG)

- Determining a planning application
- Effective use of land
- Making an application
- Noise
- Town centres and retail
- Use of planning conditions

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

DS1 – Development Strategy and Principles

CP6 – Local Services and Facilities

CP8 – Economic Growth and Diversification

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

DM1 – Location of New Development

DM7 – Town, District and Local Centres

DM20 – Development and Noise

Local Plan (Regulation 19) 2020 – 2040

E8 – Local Shops, Services and Facilities

E5 – Enhancing Employment Opportunities

E7 – Maintaining the Vitality and Viability of Town Centres

E3 – Town Centres Strategy and Hierarchy

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D7 – Development Standards

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Air Quality Supplementary Planning Document 2021

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) 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 is now subject to public consultation on the Proposed Main Modifications. Therefore, the emerging policies can be given moderate to significant weight in the assessment of development proposals in advance of Adoption.

The principle of the development was assessed and considered to be acceptable under the previous planning applications (13/00157/FUL, 14/02677/FUL and 25/01102/LDP). Whilst the Emerging Local Plan has reached Regulation 19 stage, it continues to align with the overarching objectives of the current Local Plan and this application seeks only to amend the wording of conditions of consent. As such, the overall principle of development therefore, remains 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.

Impact on character and appearance of area

The unit is part of the centre's leisure complex, surrounding by various commercial units and car parks. It also adjacent to the main Whiteley Shopping Centre.

The proposed extension of operational hours for Unit F4 is expected to result in a modest increase in activity to and from Whiteley Shopping Centre. The unit would remain open an additional 30 minutes on Mondays to Saturdays and one hour longer on Sundays compared to Units F6 and F7, introducing some additional evening activity. Furthermore, the unit would open at 08:00 on Sundays, earlier than the adjacent units which open at 10:00.

It is important to note that the cinema complex within the centre is permitted to operate until 02:00 on Mondays to Saturdays and until 00:30 on Sunday mornings. In addition, the proposed hours would align closely with those of the McDonald's unit, which was granted permission under application 23/01487/FUL to operate between 07:00 and 00:00 daily. Given that the proposal relates to a single unit within a large shopping/leisure complex, involves only a minor increase in operating hours, and does not extend beyond the hours of other existing units (such as the cinema and McDonald's), it is considered that the

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change would result in a limited increase in associated activity and would not adversely affect the character of the area. The proposal is therefore considered to comply with Policy CP13 of LPP1, Policies DM15 and DM16 of LPP2, and Policies D1 and D7 of the Emerging Local Plan.

Development affecting the South Downs National Park

The application site is located 4.8 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.

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.

Neighbouring amenity

The nearest residential properties are located along Camellia Drive, approximately 97 metres, across the car parking area serving this part of the commercial centre of the town. The closest properties along Bluebell Way are approximately 110 metres away, again separated with the car parking area in-between.

A Premise Management Plan was provided with the application which sets out various mitigation measures to limit neighbour disturbance. These include the following:

- No amplified music
- Limited capacity
- Controlled operation hours
- Staff training to limit noise when arriving/leaving
- Zero tolerance of bad behaviour
- No loitering outside
- Taxi protocol
- CCTV surveillance

The Council's Environmental Health Team has been consulted on the application, and these measures are considered to be appropriate in managing the impact on the surrounding neighbouring amenity. A condition is attached to ensure that the Premise Management Plan is fully adhered to throughout the operation of the business on the premises. It is important to note that in addition to planning control exerted by this condition, in the event of any report of public nuisance, the Environmental Protection Act 1990, provides additional protection for neighbouring residents.

All dwellings are considered to be sufficiently separated from the residential development to avoid any significant noise disturbance arising from the proposed extension of operating

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hours. The modest increase in operating times, together with the existing site management arrangements, is not expected to create issues beyond those associated with the current hours and remains within acceptable limits for public and residential amenity. It is also important to note that the Shopping Centre already operates with established late-night opening hours; therefore, the proposal would not introduce any new or unfamiliar sources of noise to the area.

It is worth noting the Licensing permission granted on site limits the supply of alcohol to no later than 23:30.

In light of the above, it is considered that the proposal will not further impact upon the amenity of the wider area and is in accordance with Policy DM17, DM20 of the LPP2 and Policy D7 of the Emerging Local Plan.

Transport

The site is within the Whiteley town centre, where traffic generating uses should be located and well-served by the local road network with appropriate parking provision. The change in operation hours is not likely to materially alter the amount of traffic generation over and above previous uses on this site. It is therefore considered that the proposal will have a neutral impact on highway safety, air quality, sustainable travel and parking ratio/standards, and is in accordance with Policy CP10 of the LPP1, DM18 of the LPP2 and T2 of the Emerging Local Plan.

Equality

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

Planning Balance and Conclusion

The proposed variation of the trading hours for this unit is not considered to have an adverse impact on the character of the area, would have a limited and acceptable impact on neighbouring amenity, by virtue of controlled mitigation measures and would not have an adverse impact on the highway network/parking numbers. Therefore, the proposal has been recommended for permission, subject to conditions.

Recommendation

Approve subject to the following conditions:

Conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans as listed below, with the exception of the internal subdivision of blocks which shall be the subject of conditions 4 and 5 listed below.

Approved plans:

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Corstorphine + Wright, Project No. 12846 Project: New Cinema Whiteley

Drg. No	Scale	Size	TITLE	Rev	Date
0001	1:100	A0	Ground Floor Plan	A	17.10.12
0002	1:100	A0	First Floor Plan Cinema level	A	23.01.13
0003	1:100	A0	Second Floor Plan Projection Level	A	23.01.13
0004	1:100	A0	Roof Plan	A	23.01.13
0110	1:100	A0	Sections sheet 1	L	23.01.13
0111	1:100	A0	Sections sheet 2	H	23.01.13
0113	1:100	A0	Proposed elevations sheet 1	B	23.01.13
0114	1:100	A0	Proposed elevations sheet 2	A	22.01.13
6000	1:100	A0	Site plan proposed	M	8.4.2013
6002	1:100	A3	Site location plan	D	8.4.2013

MacGregor Smith

1062- D01 1:1000 @A3 A1 Landscape Masterplan D 15.11.12

Terence O'Rourke

Noise Management Plans for units F6 and F7 17.11.14

Planning Statement

Premises Management Plan – November 2025

Reason: For the avoidance of doubt as to the scope of this planning permission.

2. At any time during the operation of the development hereby approved there shall be a minimum of four (4) ground floor units and subject to this requirement the following additional restrictions shall apply:

(i) There shall at all times be a maximum of two ground floor units occupied, or predominantly occupied, by activities within Use Class A4 (drinking establishments) of the Town and Country Planning (Use Classes) Order 1987 (as amended), with a combined gross floor area of no more than 860 square metres.

(ii) The maximum size of any unit at ground floor level shall not exceed 800 square metres.

(iii) Subject to (i) and (ii) above units may be operated as any concern within Use Classes A3 (restaurant and café), A4 (drinking establishments), D1 (non-residential institutions) and D2 (assembly and leisure) of the Town and Country Planning (Use Classes) Order 1987 (as amended), either wholly within that use class or as a mixture of these use classes.

(iv) No ground floor unit or premises shall be open to customers or patrons outside 0700 to 2300 Monday to Saturday and 1000- to 22.00 on Sundays and recognised public holidays except for units F6 and F7 which shall not be open to customers or patrons outside the hours of 07.00 to 23.30 Monday to Saturday and the hours of 10.00 to 23.00 on Sunday and recognised public holidays and Unit F4 which shall not be open to customers or patrons outside the hours of 08:00 to 00:00 Monday to Sunday and recognised public holidays. No trade of any form shall be conducted outside these hours.

For the avoidance of doubt the ground floor entrance foyer for activity located at 1st floor level, as shown on the approved plans, is excluded from this condition if used solely for access and egress for 1st floor activities.

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Reason: To promote sustainable development through a locally focussed town centre that maintains a diverse size and mix of A and D class uses and to protect the amenities of nearby residential properties.

3. At all times during the operation of the development hereby approved the first floor and second floor of the development shall only be used for activities within Use Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the following additional restrictions shall apply:

(i) The total floor area of the development above ground floor level shall not exceed a gross floor area of 3924 square metres.

(ii) Except for any cinema operation, no premises shall be open to customers or patrons outside 0830 to 2300 Monday to Saturday and 1000 to 2200 on Sundays and recognised public holidays;

(iii) in the case of a cinema operation, the premises shall not be open to customers or patrons:

outside the hours of 0830 to 0030 the following morning Sunday to Thursday (except as stated below);

outside the hours of 0830 to 0200 the following morning on Fridays and Saturdays

outside the hours of 0830 to 0200 the following morning on Sundays where the following Monday morning is a recognised public holiday

Reason: For the avoidance of doubt as to the scope of this planning permission, to enable flexible use of the floorspace within the D2 (assembly and leisure) use class.

4. The development hereby permitted shall be in accordance with the public realm and landscape masterplan and management plan outlined within planning reference 13/00157/FUL and retained thereafter.

Reason: To ensure that a high standard of public realm is achieved in accordance with the submitted details and to ensure that the development provides appropriate security measures in the interests of crime prevention.

5. If within a period of ten years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

6. The development hereby permitted shall be in accordance with the landscape management plan within planning reference 13/00157/FUL and retained thereafter.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of the site and to promote wildlife and bio-diversity interests.

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7. The development hereby permitted shall be in accordance with the BREEAM assessment provided within planning reference 13/00157/FUL and retained thereafter.

Reason: In order to ensure a sustainable form of development consistent with the objectives of the National Planning Policy Framework, the Climate Change and Natural resource management policies of the South East Plan and the interim and core strategy policies of the Local Development Framework.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment)(England) Order 2010 (or any Order revoking and re-enacting that Order with or without modification) no further plant, machinery, equipment, external aerials, antenna, extraction or ventilation equipment or any other structure (including structures for the support of signs) of any kind shall be erected on the site or attached to the buildings hereby permitted without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that development that would otherwise be permitted is considered prior to commencement of work on the site in accordance with Condition 6 so as to ensure a high standard of public realm.

9. The development hereby permitted shall be in accordance with the system for the disposal of sewage and surface water in accordance with the drainage strategy by Evolve Consulting Engineers Ltd and details (including layout plans, sections, manhole locations, calculations and identification of management responsibilities post implementation) and retained as such.

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

10. The development hereby permitted shall be in accordance with the surface water sewer soakaway system provided within planning reference 13/00157/FUL.

Reason: To prevent pollution of the water environment.

11. Inspection manholes shall be provided and clearly identified on foul and surface water drainage systems in accordance with the details approved in Condition 10.

Reason: To prevent pollution of the water environment.

12. No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.

Reason: To prevent pollution of the water environment.

13. Unless otherwise specified in the Travel Plan agreed as part of the Section 106 agreement for the development hereby approved, no commercial deliveries shall be taken at or dispatched from any unit or premises of the development except between the hours of 0700 and 2100 Monday to Saturday and 1000 to 1600 on Sundays, unless otherwise agreed in writing by the Local Planning Authority.

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

14. Unless approved in accordance with Condition 4 removable chairs, tables and associated paraphernalia only shall be placed outside in the location adjacent to the frontages of the ground floor units identified on the approved site plan. The chairs, tables and associated paraphernalia shall only be used for patrons of the ground floor units within the hours set out in Condition 2, namely 07.00 to 23.00 Monday to Saturday and 10.00 to 22.00 on Sundays and recognised public holidays except for units F6 and F7 which shall only be used between the hours of 07.00 to 23.00 Monday to Saturday and the hours of 10.00 to 22.30 on Sunday and recognised public holidays outside of which times they shall not be available to customers or patrons, being stacked and secured or stored to prevent their use. Outside of the operating hours detailed in Condition 2 tables and chairs shall be stored within the building hereby approved.

Reason: In the interests of nearby residential amenities.

15. The development hereby permitted shall be in accordance with the car park management plan provided within planning reference 13/00157/FUL.

Reason: In the interests of highways safety and the efficient functioning of the road network in the locality.

16. The development hereby permitted shall be in accordance with the traffic control boom (or any alternative traffic control device that operates so as to physically prevent vehicles from entering the parking area annotated 'North B' between the hours of 2200 and 0700 the following morning.

Reason: In the interests of nearby residential amenities.

17. The development hereby permitted shall be in accordance with the acoustic fencing details along the west boundary (including the position of the fence) provided within planning reference 13/00157/FUL and be retained as such.

Reason: In the interests of the amenities of neighbouring properties.

18. The Noise Management Plan submitted for ground floor food and drink retail outlets unit F6 and unit F7 shall be adhered to and followed throughout the occupation and operation of the units with the noise controls identified in the Noise Management Plan fully implemented from the first occupation of either unit.

Reason: In order to control noise to a reasonable level in the interests of the amenities of neighbouring properties.

19. The Premise Management Plan submitted for unit F4 shall be adhered in perpetuity with the noise measures identified.

Reason: In order to control noise to a reasonable level in the interests of the amenities of neighbouring properties.

Informatives:

Case No: 25/01883/VAR

WINCHESTER CITY COUNCIL
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01. In accordance with paragraph 39 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

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

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

02. This permission is granted for the following reasons:

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP6, CP8

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM7, DM20

Emerging Local Plan 2020 – 2040: D7, E3, E5, E7, E8

04. 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 planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990.

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25/01883/VAR Unit F4, Whiteley Shopping Centre, Whiteley Way, Whiteley, Fareham

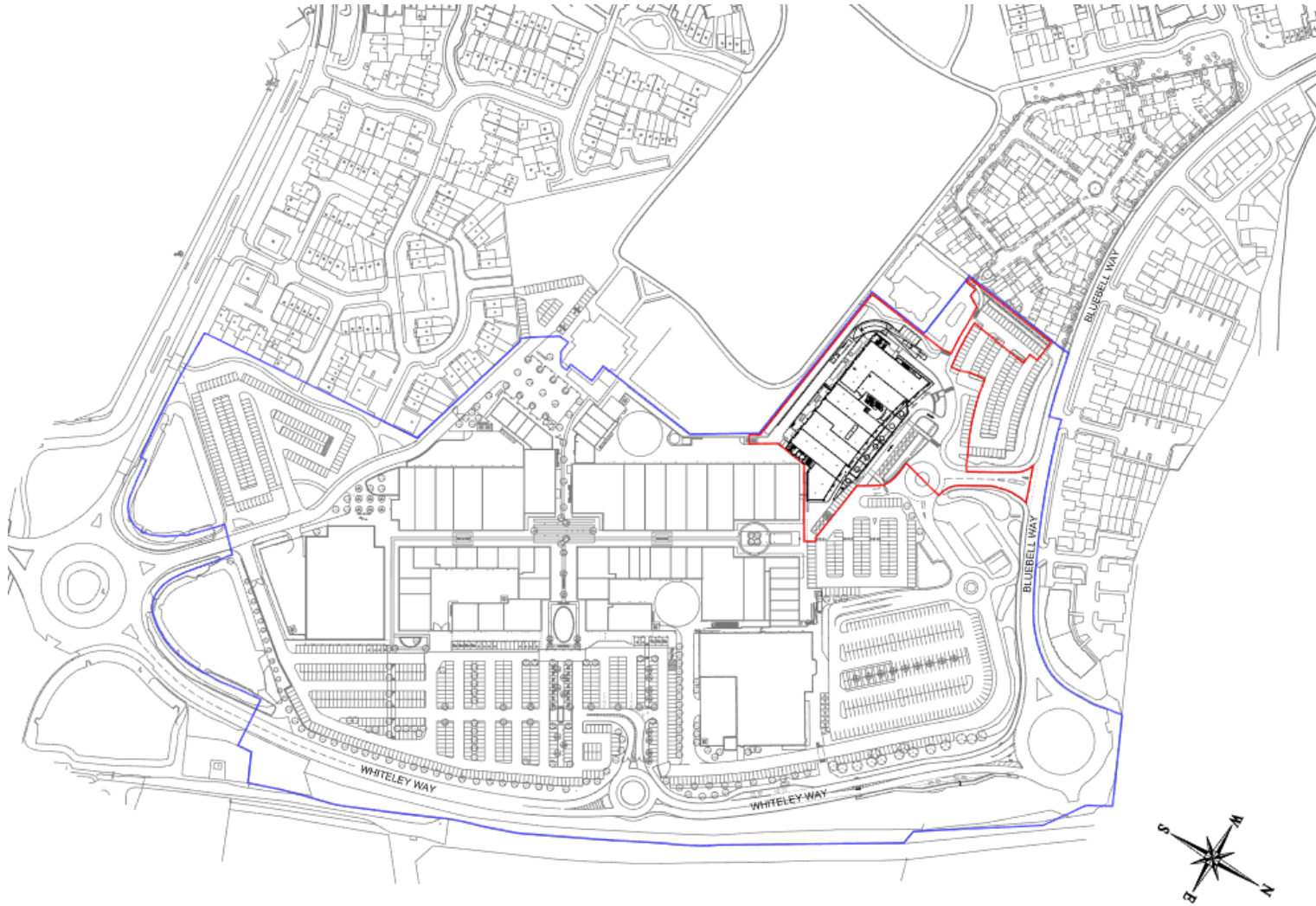
Page 89

**Variation of condition 4 of planning application
14/02677/FUL relating to the extension of
operating hours for unit F4**

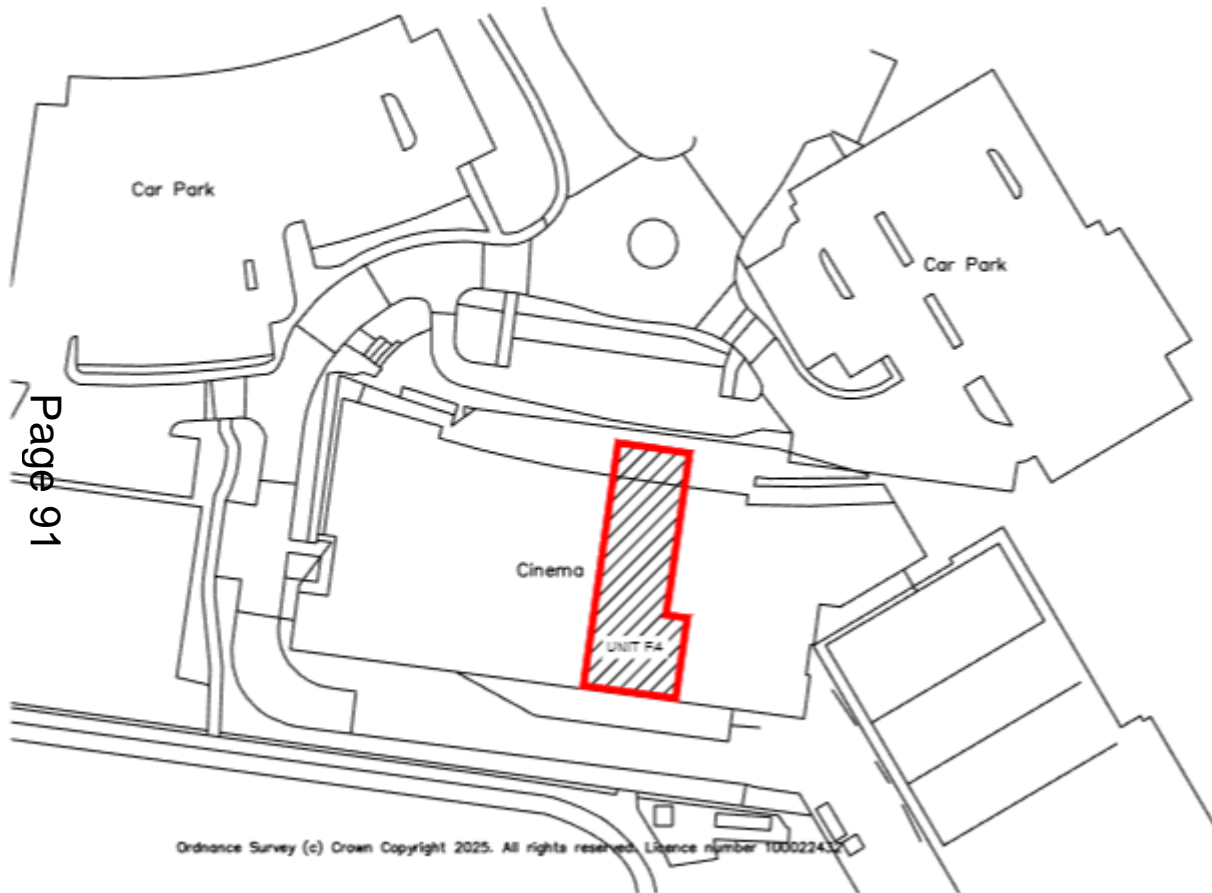


Location Plan

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Site Plan



INDICATES SITE AREA
615 SQ.M / 6620 SQ.FT

REVISIONS

kdpa

Brooklyn Chambers, 11 Goring Road,
Worthing, West Sussex BN12 4AP
+44 (0)1903 495 202 www.kdpaine.co.uk

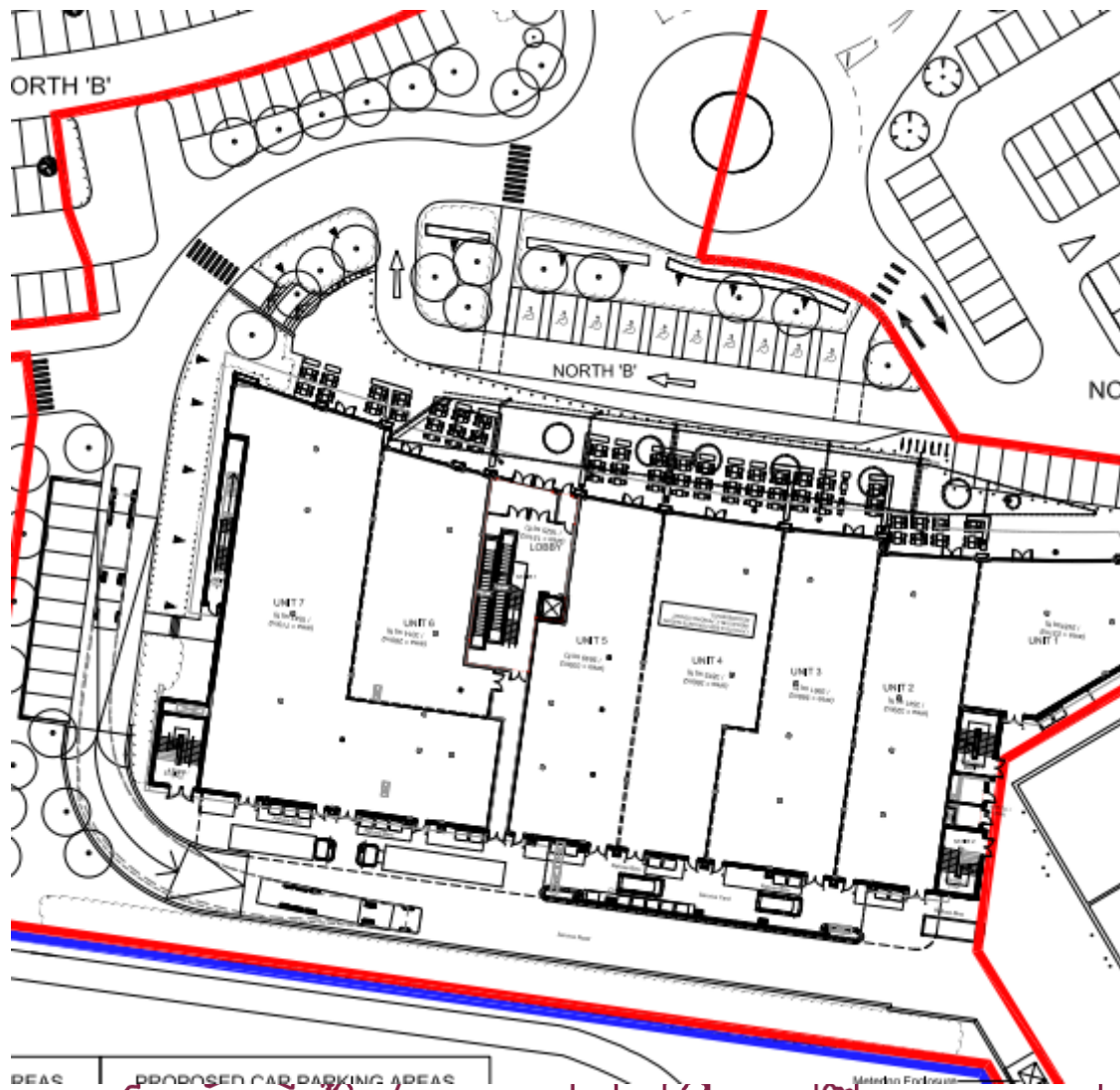
Aerial Photograph

Page 92



Units Layout

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Distances to neighboring properties



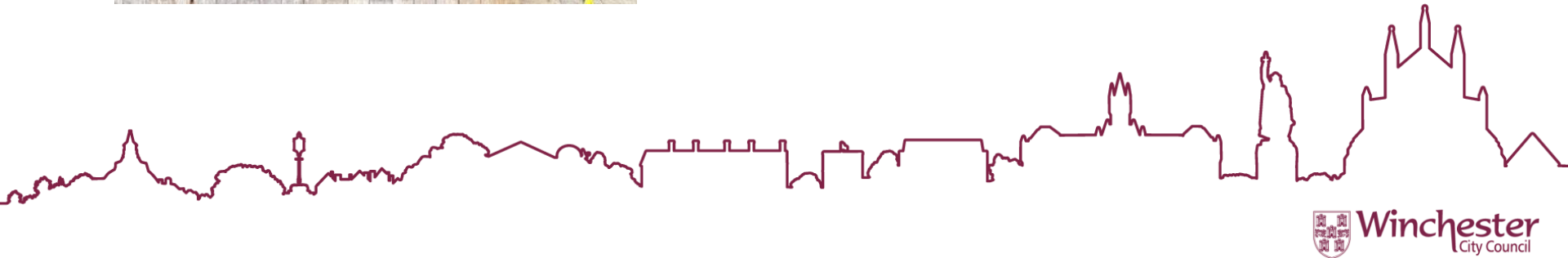
Premise Management Plan

- No amplified music
- Limited capacity
- Controlled operation hours
- Staff training to limit noise when arriving/leaving
- Zero tolerance of bad behavior
- No loitering outside
- Taxi protocol
- CCTV surveillance



Site Photographs

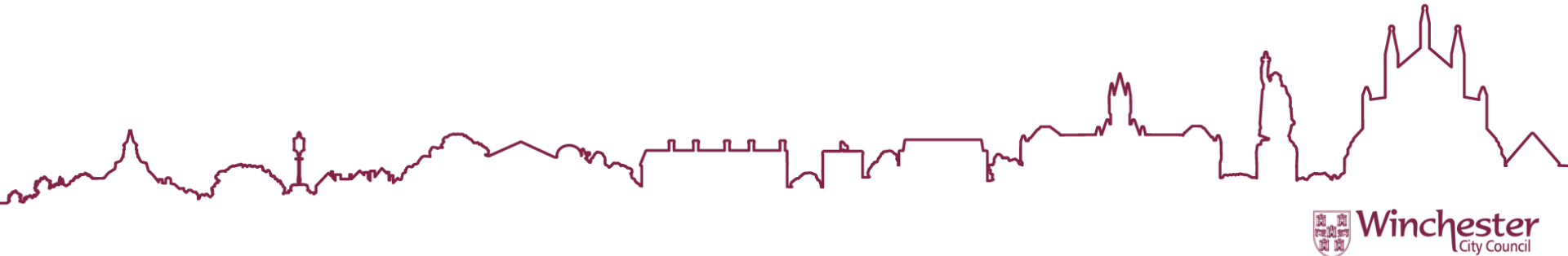
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Recommendation

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



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WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: SDNP/25/00564/FUL
Proposal Description: Erection of a portal framed timber barn with associated landscaping and works
Address: Land adjacent to Church Lane, Swanmore, Hampshire
Parish, or Ward if within Winchester City: Swanmore
Applicants Name: Mr Robert Matthews
Case Officer: Lisa Booth
Date Valid: 26.03.2025
Recommendation: Application Permitted
Pre Application Advice No

Link to Planning Documents

[SDNP/25/00564/FUL | Erection of a portal framed timber barn with associated landscaping and works | Land adjacent to Church Lane Swanmore Hampshire](#)



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Reasons for Recommendation

Planning permission is recommended for approval because it is considered that the development accords with the Development Plan, South Downs Local Plan 2014-2033 policy SD39.

**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 site is an established orchard which lies to the west of Droxford Road and the south of Church Lane in Swanmore. It is situated near the outskirts of the village within the South Downs National Park.

The whole site (within the red and blue lines) consists of 4.7 hectares of farmland, of which 4.08 hectares constitutes apple production of numerous varieties set within the 49 rows of orchard trees across the site.

The site is enclosed with substantial hedgerows and treelines along the boundaries. There are two farm entrances, one on the corner junction with Droxford Road and the other has recently been added under permitted development rights along Church Lane to the north.

The northwestern boundary is lined with a residential property and arable field. The south-western boundary is a continuation of the orchard. The south-eastern boundary abuts the Droxford Road.

Proposal

The proposal is for the erection of a portal framed timber barn with associated landscaping and works in conjunction with the use of the site as an established orchard.

Relevant Planning History

None

Consultations**Service Lead – Sustainability and Natural Environment (Ecology)**

- No objections subject to measures, conclusions and recommendations within the Ecology report secured by condition (5) and subject to a S106 to secure significant BNG.

Service Lead – Sustainability and Natural England (Landscape)

- Concerns raised.

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Service Lead – Sustainability and Natural Environment (Trees)

- No objection subject to condition.

Service Lead – Public Protection (Environmental Health)

- No Comments

Hampshire County Council (Highway Authority)

- No objection subject to conditions.

Representations:

Swanmore Parish Council

20th August 2025

- Size and scale of the barn: Whilst we accept that some welfare and storage facilities may be necessary for the management of the orchard, the issue of why such a large amount of storage is needed has still not been addressed. We also cannot understand why a bowser diesel tank would be required for an operation of this scale?

The planning consultant's letter fails to provide additional information to justify the size, scale and height of the proposed barn. We again make reference to Policy SD39. The proposed barn is not of a minimum scale required to meet the identified agricultural need of restoring the orchard:

"Development proposals for new buildings or structures for the purposes of agriculture or forestry will be permitted where:

a) There is an agricultural or forestry need for the development within the National Park and its scale is commensurate with that need;

Access: We do not accept that the access point was created under permitted development rights as stated in the letter.

Schedule 2, Part 2, Class B of the Town and Country Planning Order 2015 permits access "where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part)."

The proposed barn is not permitted development hence why there's a planning application. The proposed access should have formed part of the planning application.

- ***Officer comment: The access was required in relation to the maintenance of the existing orchard itself. WCC Enforcement have confirmed that the access is permitted development and does not require planning permission in its own right and its formation does not form part of this planning application.***

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Visual impact: According to the planning statement the height of the barn will be 6.5 m. We do not accept that existing mature vegetation and orchard planting would provide adequate screening of the barn for surrounding footpaths.

Polytunnel and bore hole:

We understand that these have been created on the land and that the planning enforcement team are investigating whether prior permission was sought. This is concerning given the status of the orchard as a Habitat of Principal Importance under the Natural Environment and Rural Communities (NERC) Act 2006 with the ensuing duties and obligations that this brings for the land owner.

- ***Officer Comment: These do not form part of this application and are not being considered.***

25/04/2025

The design of the barn and the proposed building materials are out of keeping with this very rural part of the village.

The building's scale and size, in particular its excessive height, are disproportionate to the size of the site.

The Council is concerned about the proposed destruction of part of the orchard. We note that the orchard is a Natural England Traditional Orchard and as such is a designated priority habitat and a wildlife haven. Whilst we support any efforts to restore the orchard, we don't think that a barn of this size and scale is necessary to achieve this aim.

The Council is concerned about extra vehicle movements on to Church Lane which is single file and suffers from significant flooding in the winter months. The Council is concerned that part of a protected hedgerow has been removed to create the new access. The legality of this access is currently being investigated by WCC Planning Enforcement.

The application contravenes the general landscape led approach of the SDNP Local Plan. In particular:

Policy SD4. The proposal is not "...informed by landscape character, reflecting the context and type of landscape in which the development is located."

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

- Don't believe building is for the orchard enterprise
- Enhanced traffic generation
- New access destroyed hedgerow/other hedgerow been cut
- Too large/out of scale and character/inappropriate design
- Eyesore
- Future potential uses could be noisy

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- Red line is smaller than the overall holding – further barns could be built.
- Detrimental to the local ecology
- Floods at Church Lane – will there be pollution from surface water run off.
- Impact on enjoyment of users of PRoW
- Not in accordance with SD39

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

- Orchard has been in a poor state being brought back into good working use will be a benefit both to the village and the national park.
- Building itself is a small area of a large orchard with little impact/consistent with other buildings in wider area
- Benefits outweigh the harm
- Should support people who are endeavouring to bring back into use parcels of land such as these as part of a diverse rural economy.
- To see this level of proposed investment is positive
- Will keep machinery secure and provided welfare facilities
- Welcome site to see this one brought back into use

Relevant Government Planning Policy and Guidance

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF). 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.

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

The following policies of the South Downs Local Plan are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD19 - Transport and Accessibility
- Development Management Policy SD22 - Parking Provision

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- Strategic Policy SD25 - Development Strategy
- Development Management Policy SD39 - Agriculture and Forestry
- Development Management Policy SD50 – Sustainable Drainage Systems

Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 3

Supplementary Planning Document

Biodiversity Net Gain TAN March 2024
Ecosystems Services TAN
Dark Skies TAN May 2021
Design Guide SPD August 2022

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) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Policy SD39 applies. The purpose of this policy is to enable farm and forestry enterprises to grow in a way that conserves and enhances the special qualities of the National Park. The construction of new or extended buildings for agriculture and forestry must meet an identified operational need within the context of the National Park purposes and duty. As they will normally be outside settlement boundaries, they should be built at the minimum scale required to meet that need.

Policies SD4 and SD5 apply. The purpose of these policies is to ensure that all development is of the highest possible design quality which reflects and respects the exceptional quality of the natural, agricultural and built environment of the National Park. Proposals should adopt a landscape-led design approach and seek to enhance local character and distinctiveness of the area.

With the recent closure of Hill Farm Orchard and the ongoing loss of traditional orchards in
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the area, this application represents an important opportunity to protect and sustain a valuable agricultural asset. The orchard is a key local resource, and its future viability depends on the appropriate infrastructure to support continued cultivation and maintenance. It is therefore considered that the proposed development is in accordance with Policy SD39 of the South Downs Local Plan and the principle of development 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.

Impact on character and appearance of area

Traditional Orchards were added to the list of Priority Habitats in 2007. This was a result of research and campaigning by organisations such as Common Ground and local orchard groups which highlighted their importance for wildlife. Their priority status is well supported by wildlife and conservation organisations, but protection is still weak – we continue to lose a lot of this habitat every year.

Orchards, particularly traditional ones, are considered priority habitats in the UK because they are biodiversity hotspots, supporting many species of flora and fauna, including Nationally Rare and Scarce species. This is due to the diverse range of habitats within them, from the trees themselves, which offer features like hollow trunks and dead wood for invertebrates, to the surrounding grassland, scrub, and hedgerows.

Although a number of local objections have been raised, the barn is essential for managing the orchard with appropriate machinery. The layout shows internal areas for machinery storage, welfare facilities for workers, and apple storage. Its timber-clad, typical agricultural design, measuring 17.8m by 13m, with an overhang of 3m. The height is 6.5m to the ridge and is of a tiered roof design which provides the height for the machinery, whilst reducing the overall bulk of the building. Materials proposed are considered to be sympathetic to the rural nature of the site and typical of an agricultural building, using timber oak cladding and black or grey profiled sheet roof (condition 2). Although the Landscape Officer has raised concerns, a planning balance has to be made regarding the agricultural need to be able to maintain and preserve the orchard and the relative impact the building will have on the landscape.

Photographs from surrounding public footpaths have been submitted to support the visual impact assessment. The barn is sited in alignment with the neighbouring property, Church Cottage, and at a respectful distance to avoid amenity impacts. This location was agreed upon with the adjacent neighbour prior to submission. The barn is not isolated and relates well to the established built form and will sit towards the road frontage in-between Church Cottage and the cluster of farm and residential buildings to the east (Old Hill Farm/Hill Farm House/The Byre/Hill Place Cottage)

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The proposed barn will not be visible from nearby public rights of way due to existing mature vegetation and orchard planting. Views from the southern footpath will be screened, with only limited glimpses of the roof possible. Views from the southwest, including Vicarage Lane and adjacent paddocks, are distant and similarly screened by trees and boundary planting along the western edge of the field.

While the barn will be visible from Church Lane at the point of access, this will be mitigated through the establishment of appropriate native hedgerow planting. Incorrect hedgerow species was initially planted in error; this is being rectified with species that will enhance both ecology and the landscape character.

The Landscape Officer noted concerns about removal of an area of the existing orchard, reducing its overall size, and that it would not seem to conserve or enhance existing landscape features. This site has an importance to be conserved and to do that would require the provision of the barn to be able to do that functionally. The area that the barn is to be sited is the least harmful in terms of loss of orchard trees or additional boundary treatment (excepting of the new access). Therefore, a planning balance needs to be made regarding the best placement on the limited area of land with the least number of orchard trees and the loss of some of those trees and the requirement to support the long-term production and safeguarding and enhancement of the protected orchard.

It should be noted that if the holding was 5 hectares or more (0.3ha larger than the existing site) an agricultural building of 1000m² would be permissible, and an application could be submitted under the prior notification route. This proposal is only 267m² floor area, which is commensurately smaller than what could be proposed should the applicant purchase additional land, which is a possibility. This is a very intensive and concentrated agricultural undertaking and the size of the building is seen to be commensurate with the needs of the holding and size of the equipment required to maintain and support the rural enterprise. (It should be noted that the orchard consists of land within the red *and* blue lines on the site plan). This will enable the orchard to be enhanced further which will lead to the orchards ongoing protection and protection of the special qualities of the National Park.

There are not uninterrupted views of the land, and the building is best placed in terms of wider visibility, retention of boundary treatment, access and enhancement.

The changes that have already occurred through the construction of the entrance have been constructed under permitted development rights. The loss of the hedge will be recompensed through additional hedgerow planting, which is supported by the Ecology Officer. Although the creation of any new access could be seen to be unsympathetic to the character of the location, permitted development rights exist and therefore there is sometimes limited control over certain development. A new wooden 5 bar gate is to be erected at the entrance, set back from the highway. This is considered to be acceptable and in character with the rural environment.

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In summary, this is a relatively small development on the scale of the National Park. Significant biodiversity and landscape enhancements will be made and will enable the more productive conservation of the orchard in compliance with policy SD39 of the SDLP.

Development affecting the South Downs National Park

The application site is located within 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 2023. 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.

The site is located within a countryside location, consisting of an established fruit orchard and the proposed agricultural barn, whilst having a physical presence is deemed justifiably necessary in conjunction with the holding. Views of the building will be glimpsed from surrounding PRoWs and its presence will be similar to any other agricultural building. It is not considered that it will be detrimental to the character of the National Park's landscape. The site is considered to be well established with dense boundary vegetation on all sides, and biodiversity and landscape enhancements will mitigate the provision of the buildings.

Taking account of the Park's purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, the development has a neutral impact and does not therefore adversely conflict with the statutory purposes of the SDNP designation

Historic Environment

The development lies approximately 114m from the nearest Grade II listed building to the south-west (Hill Farmhouse).

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas Act 1990; SD12 and SD13 (South Downs Local Plan); NPPF (2024) Section 16.

Guidance

Where dealing with listed buildings, decision makers are required to have due regard to the "desirability of preserving the Listed building or its setting or any features of special architectural or historic interest which it possesses" under Section 16/66 of the Planning (Listed Buildings and Conservation Areas Act 1990). Case law has established that where an authority finds that a development proposal would harm the setting of a listed building, it must give that harm "considerable importance and weight".

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The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets. Paragraph 212 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy SD12 and SD13 of SDLP ensure that development preserves and enhances heritage assets and their settings.

Due regard has been given to these requirements, as set out in the assessment within this report.

The development lies 114m from the nearest Grade II listed building, Hill Farmhouse. The proposal will not alter the impact on the setting of the nearby listed buildings, which is separated by distance, vegetation and roads. There are no significant alterations which would alter this setting. It is therefore not considered to impact on the setting or historic fabric of the listed building.

It is considered that the proposals will preserve the significance of the listed building and its setting. The proposals would accord with the requirements of Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas Act 1990, Section 16 para 212 of the NPPF (2024), Policy SD12 and SD13 of the South Downs Local Plan and the historic environment section of the Planning Practice Guidance.

Neighbouring amenity

The closest neighbouring property is Church Cottage, which is located approximately 30m from the proposed barn. The proposal aligns mostly along the same building line as Church Farm. Due to the intended use of the building for storage of machinery, apples, etc and the distance and intervening boundaries, it is not considered that there will be any detrimental impact in terms of noise or outlook to the amenities of the neighbouring property.

Other 'neighbours' have cited that there will be traffic implications from the use, however, the barn is to be used to store machinery and equipment, so there will be limited large vehicle movements to/from the site.

It is noted that there may be some construction traffic to build the barn, but this is of a temporary nature.

Therefore, the proposal complies with policy SD5 of the SDLP.

Sustainable Transport

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Whilst the access has been shown on the submitted plans, it would be compliant with Permitted Development Rights as under Part 2, Class B, the legislation allows for:

B. The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

Church Lane is an unclassified highway; therefore, the creation of an access would be compliant with Permitted Development in its use in connection with the orchard.

The Application Site is situated adjacent to Droxford Road and Church Lane. Access to the site is currently gained via two points of access, with one access being located at the corner of the Droxford Road/Church Lane junction, and another access located on Church Lane. The proposals seek to utilise the existing Church Lane access. Given its abrupt relationship to the junction, the additional field gate access was added along Church Lane to the north more recently. This site access takes the form of a vehicle crossover and includes junction visibility splays of 2.4m x 31m and 2.4m x 36m. Vehicle swept path analysis plans have been provided which demonstrates that the access can accommodate tractor turning movements. Overall, there are no concerns with the continued use of the access in relation to the proposed development. On this basis, there are no concerns with the proposed internal site layout.

Regarding traffic generation, the supporting information states that the proposed development would generate approximately two to four vehicle movements per day. The wider site is already used as an orchard, and accordingly, the orchard would already generate an element of traffic. It is also noted that the proposed barn would be used to store equipment which would be used in connection with the orchard. On this basis, it is considered unlikely that the proposed development would result in a material increase in traffic generation.

Therefore, the proposal complies with policy SD19 of the SDLP.

Ecology and Biodiversity

A comprehensive Ecology Report was submitted and assessed by WCC Ecology Officer as part of the application and ecology enhancements include installing bat roost and bird nesting features. These and avoidance and mitigation measures detailed in the Ecological Impact Assessment such as prohibiting construction traffic, or materials storage outside of the defined construction area, not allowing vehicles to drive between trees, rows of trees or towards the woodland and veteran trees and a precautionary working method for reptiles and amphibians are all considered appropriate have been conditioned (5). Lighting is also controlled by condition (6).

Biodiversity Net Gain

The proposals would result in a 12.2% biodiversity net gain in habitats and a 11.94% gain in linear vegetative features on-site. These include enhancing the existing orchard with a native hedgerow and trees along the site frontage, within the access and down the

WINCHESTER CITY COUNCIL
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western boundary. The proposals are confirmed to result in biodiversity gains in accordance with local and national policy and relevant legislation and are acceptable in principle.

Although there will be some initial loss of orchard trees the Biodiversity Net Gain more than makes up for the initial loss. The proposals are considered 'significant' with some degree of technical complexity and ongoing management and therefore this will be secured by a S106 Agreement prior to any decision being issued.

Therefore, the proposal complies with policies SD2 and SD9 of the SDLP.

Sustainable Drainage

Areas for parking are to be provided and a condition has been added to ensure that details are provided for foul and surface water drainage and that the development is not be brought into use until all areas indicated to be used for vehicles and pedestrians on the approved plan have been laid out with a drained surface. Provision will be made to direct run-off water from the surface to a permeable or porous area or surface within the curtilage of the development and retained for the lifetime of the development.

Therefore, the proposal complies with policy SD50 of the SDLP.

Other Topics

Dark Night Skies

The South Downs National Park has been designated an International Dark Skies reserve. As such, it is sought to reduce any light pollution associated with new development. Particular care will be taken where sites are within sensitive areas, for example where located in one of the three core zones of the Dark Night Skies Reserve.

The stable building is located within Dark Night Sky Zone E1b – Transition Zone. No external lighting has been proposed as part of the submission. A condition has been added to require any lighting details are submitted should this be required (condition 6)

There are limited window openings and due to the intended use of the building it is not considered expedient to require these to be tinted or have black out blinds.

Other Development

Comments have been raised about other development being undertaken on site including a new access (discussed above), a bore hole, a polytunnel and damaging/cutting back of hedges. The access has been deemed to be permitted development and the enforcement case has been closed on this matter. The other 'development' is currently being investigated by the Enforcement Section and does not form part of this 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

WINCHESTER CITY COUNCIL
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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 principle of the development within the countryside is acceptable and the development would not have a significant adverse impact upon the character and appearance of the site and wider area. The proposal is not considered to lead to an adverse impact upon the amenities of the neighbouring properties.

In conclusion and based on the upon the above assessment, the proposal is acceptable and will not have an adverse impact upon the site and surrounding area. The development therefore complies with policies SD4, SD5, SD19, SD25 and SD39 of the SDLP.

Based on the evidence submitted and the consultation responses, the application is considered to be acceptable and in accordance with the Development Plan and is recommended for approval.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for Biodiversity Net Gain the Local Planning Authority has had regard to the tests laid down in para 58 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

Application Permitted subject to the following conditions and subject to the completion of a S106 agreement with obligations relating to Biodiversity Net Gain:

Legal Agreement – Heads of Terms

A S106 is required for securing 'significant' on-site BNG, including habitat management and appropriate monitoring obligations / fees.

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 of the Town and Country Planning Act 1990 (as amended).

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

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

3. No development shall be carried out above ground floor slab level until a schedule of external materials finishes and samples to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To safeguard the appearance of the building and the character of the area and to enable the Local Planning Authority to properly consider the development. It is considered necessary of this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

4. In the event that the use of the building for agricultural purposes (as defined by Section 336(1) of the Town and Country Planning Act 1990) permanently ceases within 10 years of the date on which the development is substantially completed, and no planning permission has been granted for an alternative use within 3 years of that cessation, the building shall be removed from the land and the site restored to its former condition or to such condition as may be agreed in writing with the Local Planning Authority.

Reason: The site lies in an area where development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

5. The development shall be carried out in accordance with the measures, conclusions and recommendations and to the timeframe for implementation as set out within Ecological Impact Assessment by South Downs Ecology (February 2025) which include prohibiting construction traffic, or materials storage outside of the defined construction area, not allowing vehicles to drive between trees, rows of trees or towards the woodland and veteran trees and a precautionary working method for reptiles and amphibians. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

The additional ecological enhancements detailed in section 8.0 such as installing bat roost and bird nesting features are all considered appropriate and should be carried out in accordance with the measures, conclusions and recommendations in Section 8.0 and to the timeframe for implementation as set out within the Ecological Impact Assessment by South Downs Ecology (February 2025)

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

6. Details of any external lighting of the site, both during construction and operation, shall be submitted to, and approved in writing by the Local Planning Authority prior to the occupation of the development. The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust (BCT), Institute of Lighting

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Professionals (ILP) and artificial lighting guidance note 08/23. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

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

7. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before development can begin. Percolation testing and infiltration testing is required for the drainage field and soakaway.

The development shall not be brought into use until all areas indicated to be used for vehicles and pedestrians on the approved plan have been laid out with a drained surface. Provision shall be made to direct run-off water from the surface to a permeable or porous area or surface within the curtilage of the development. Such areas shall be retained as such for the lifetime of the development.

Reason: To ensure adequate provision for surface water drainage and in the interests of highway safety.

8. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the LPA. The approved statement shall include scaled drawings illustrating the provision for:

- a) The parking of site operatives and visitors vehicles
- b) Loading and unloading of plant and materials
- c) Management of construction traffic and access routes
- d) Storage of plant and materials used in constructing the development
- e) Wheel washing facilities.

Works shall be carried out in accordance with the approved Construction Method Statement for the duration of the construction period.

Reason: In the interests of highway safety.

9. No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a Tree Protection Plan prepared in accordance with BS5837:2012 "Trees in relation to design, demolition and construction" has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the specification and positioning of temporary tree protective fencing and ground protection where required. The approved tree protection shall be erected prior to any site activity commencing and

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maintained until the area is to be landscaped. No development or other operations shall take place other than in complete accordance with the Tree Protection Plan.

Reason: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself in accordance with the National Planning Policy Framework (Dec 2024) and policy SD11 of the adopted South Downs Local Plan (2014-33)

Informatives:

11. Crime and Disorder Implications

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

12. Human Rights Implications

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

13. Equality Act 2010

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

14. Proactive Working

14.1 The application required additional information and the Local Planning Authority worked with the agent to achieve a positive solution.

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

Plan Type	Reference	Version	Date Received	Status
Plans -	SITE BASELINE HABITAT PLAN		11.02.2025	Approved
Plans -	SITE PROPOSED HABITAT PLAN		11.02.2025	Approved
Plans -	BIOTEC+2 GRAVITY SALES DRAWING	DS1473P	11.02.2025	Approved
Plans -	PROPOSED	PR01	11.02.2025	Approved

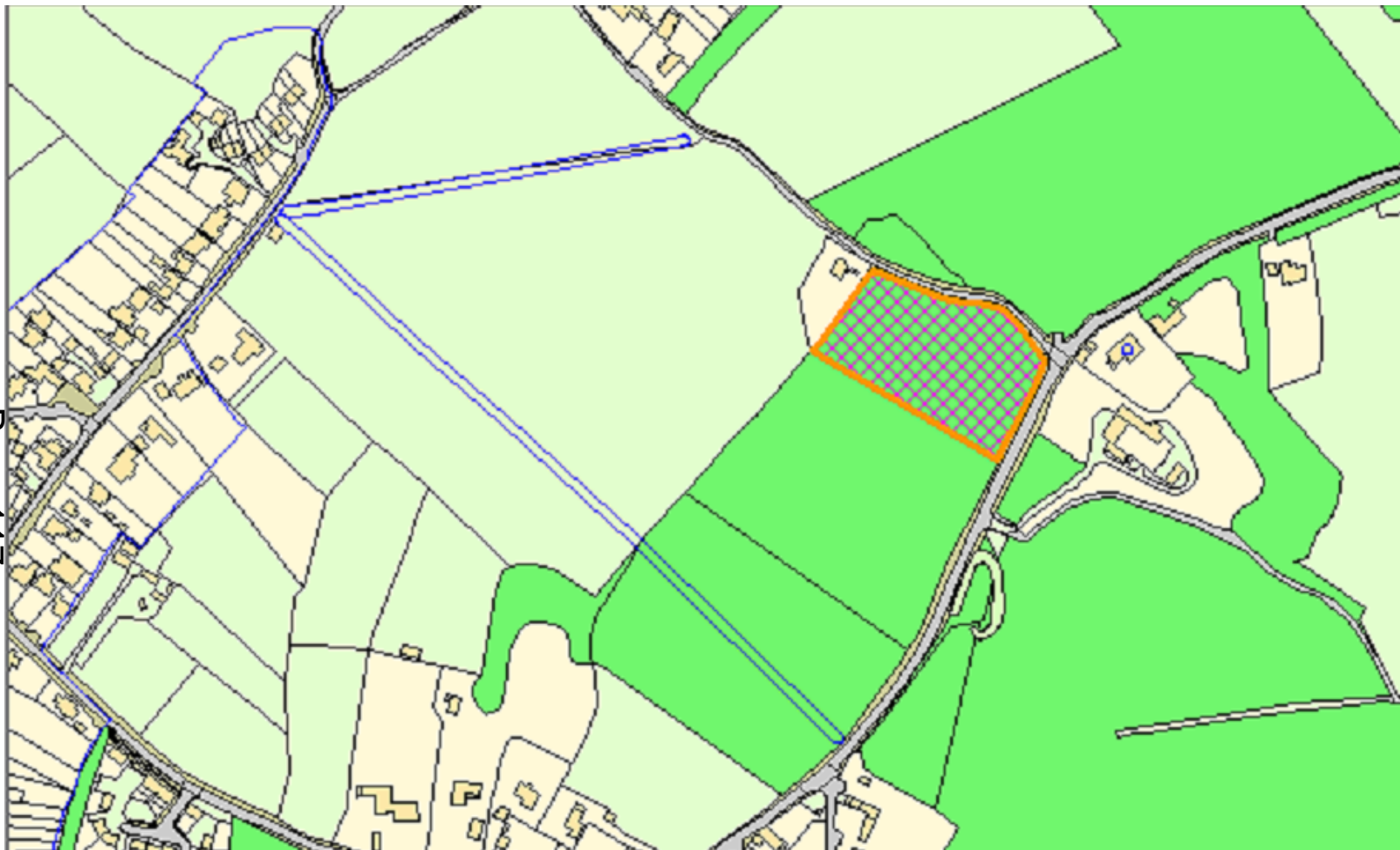
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	FLOOR PLAN			
Plans -	PROPOSED ELEVATIONS	PR02	11.02.2025	Approved
Plans -	EXISTING SITE PLAN	S02	11.02.2025	Approved
Plans -	EXISTING ACCESS GATE ELEVATION	PR03	11.02.2025	Approved
Plans -	EXISTING & PROPOSED SECTION	PR04	11.02.2025	Approved
Plans -	SITE LOCATION PLAN	S01	11.02.2025	Approved
Plans -	PROPOSED SITE PLAN AND ROOF PLAN	S03	11.02.2025	Approved
Plans -	PROPOSED SITE PLAN AND GROUND FLOOR	S04	11.02.2025	Approved

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

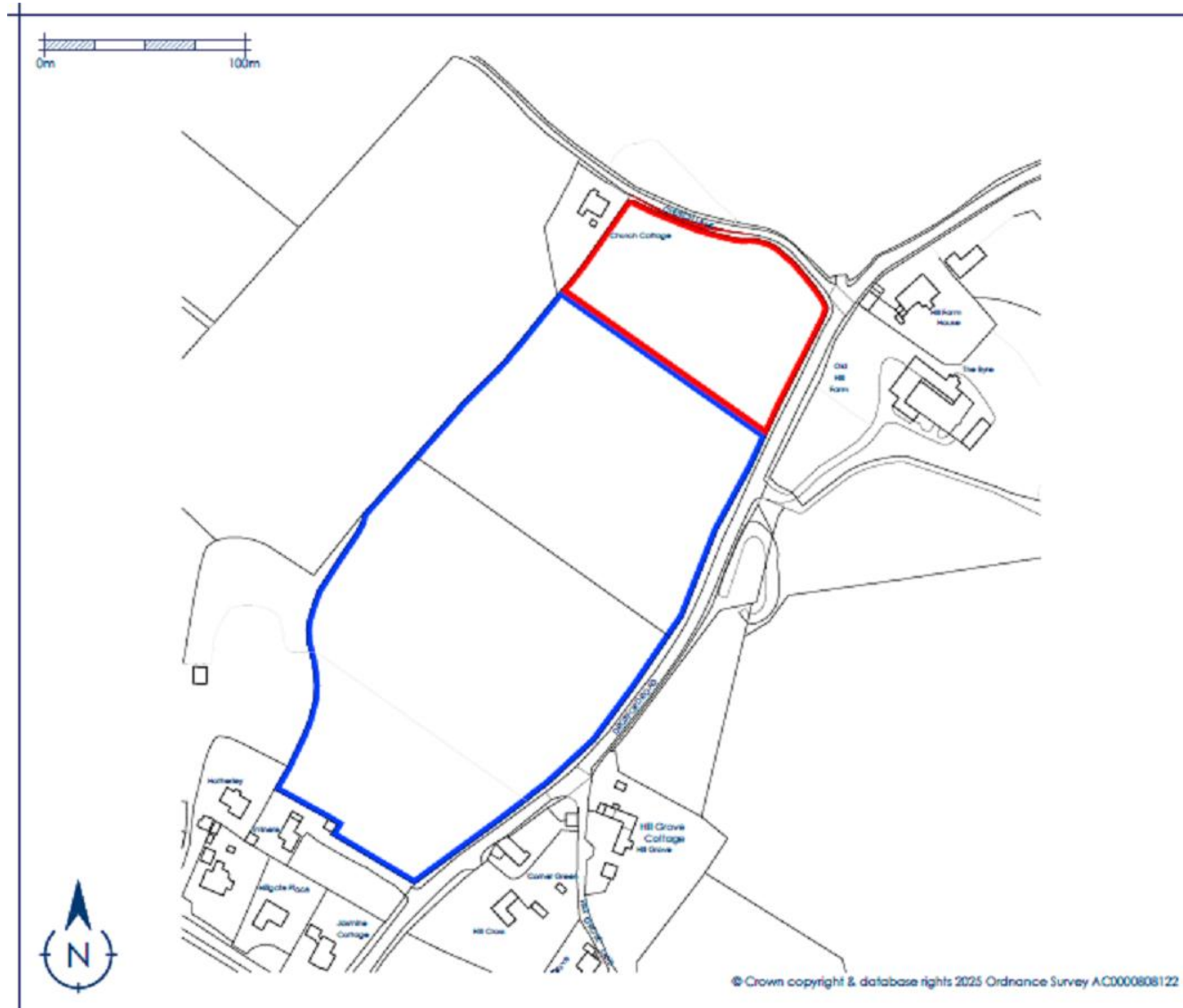
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SDNP/25/00565/FUL — Land adjacent to Church Lane, Swanmore



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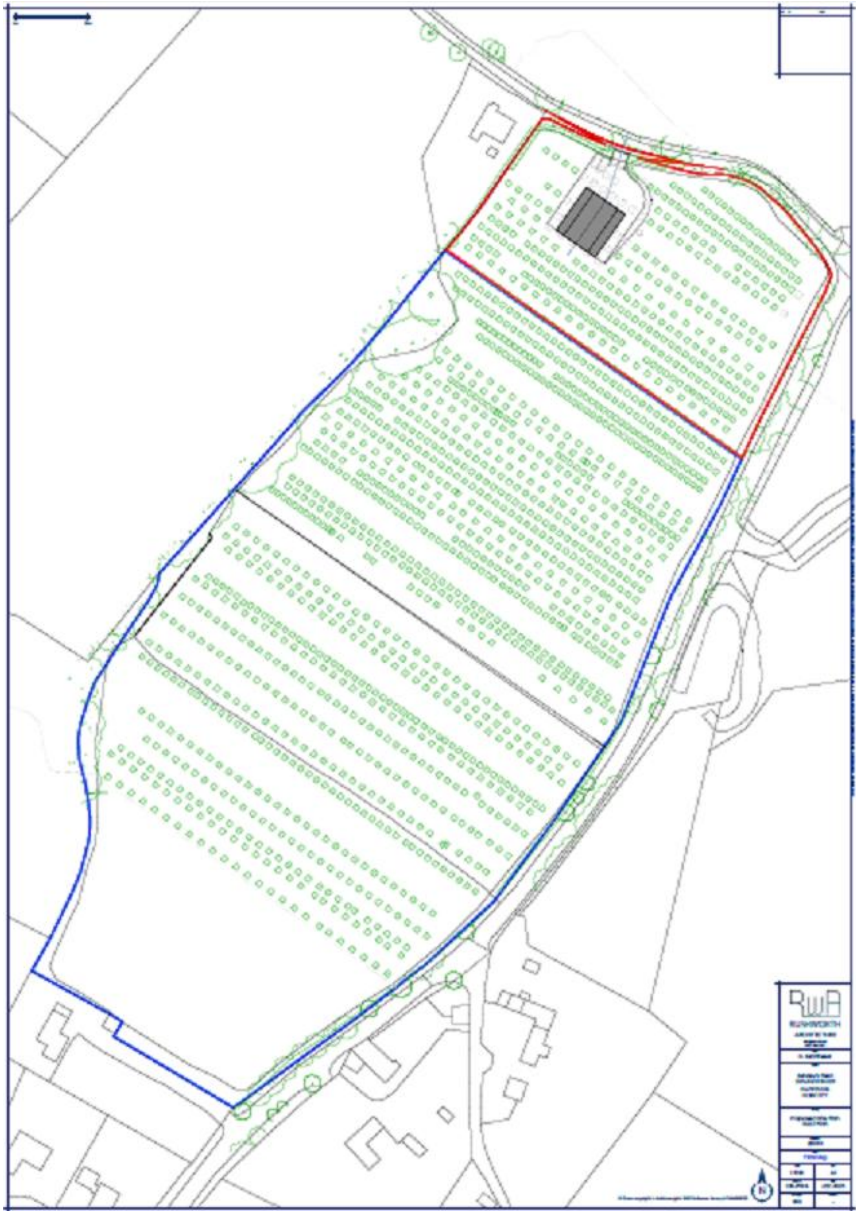
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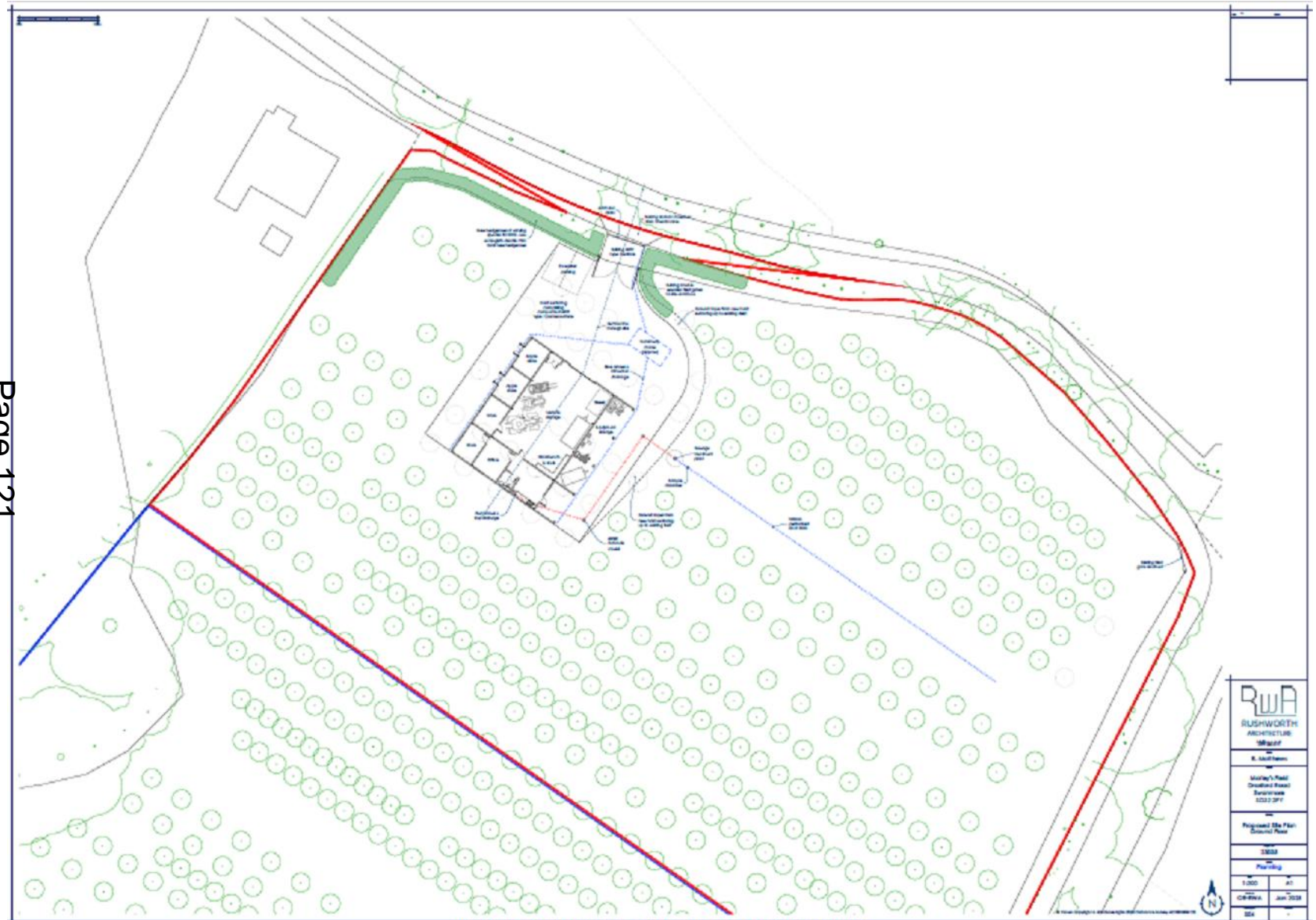
Existing Site Plan



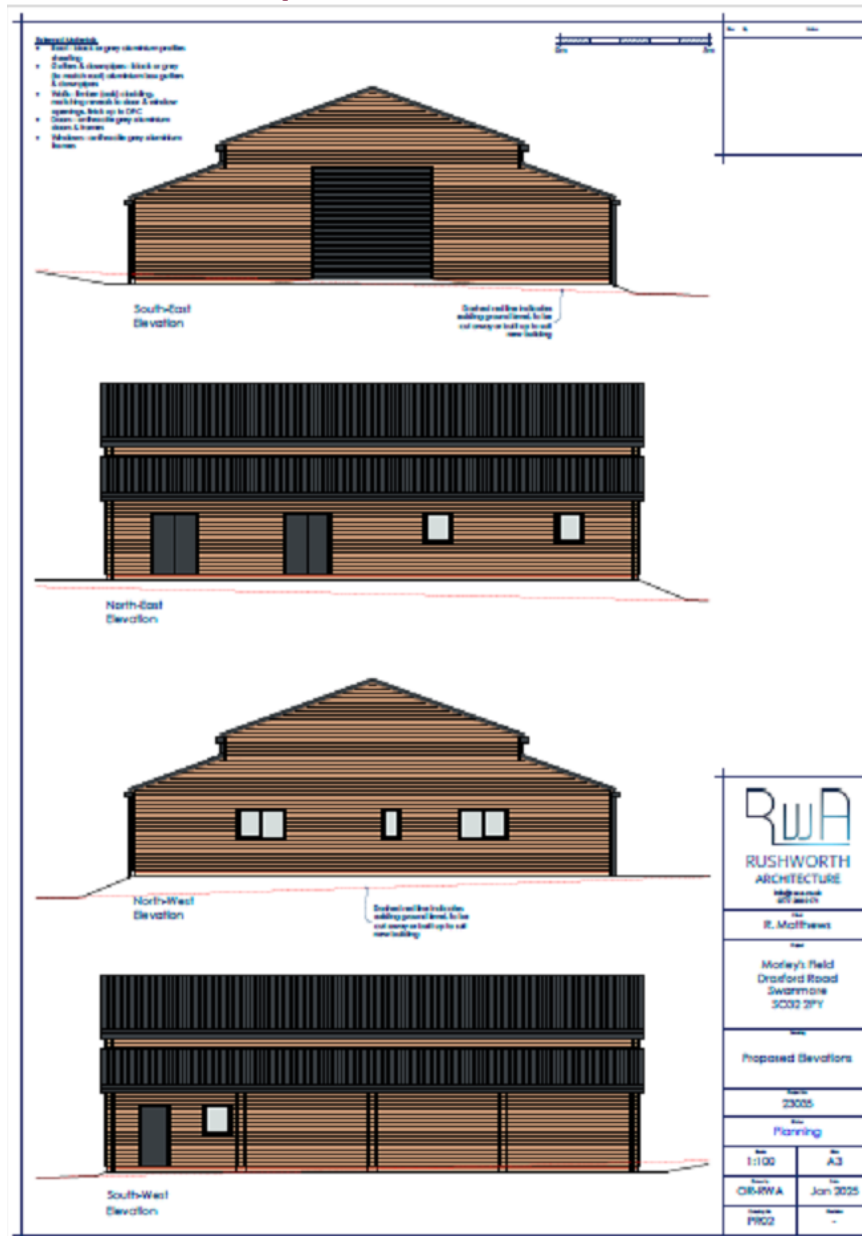
Proposed Site Plan



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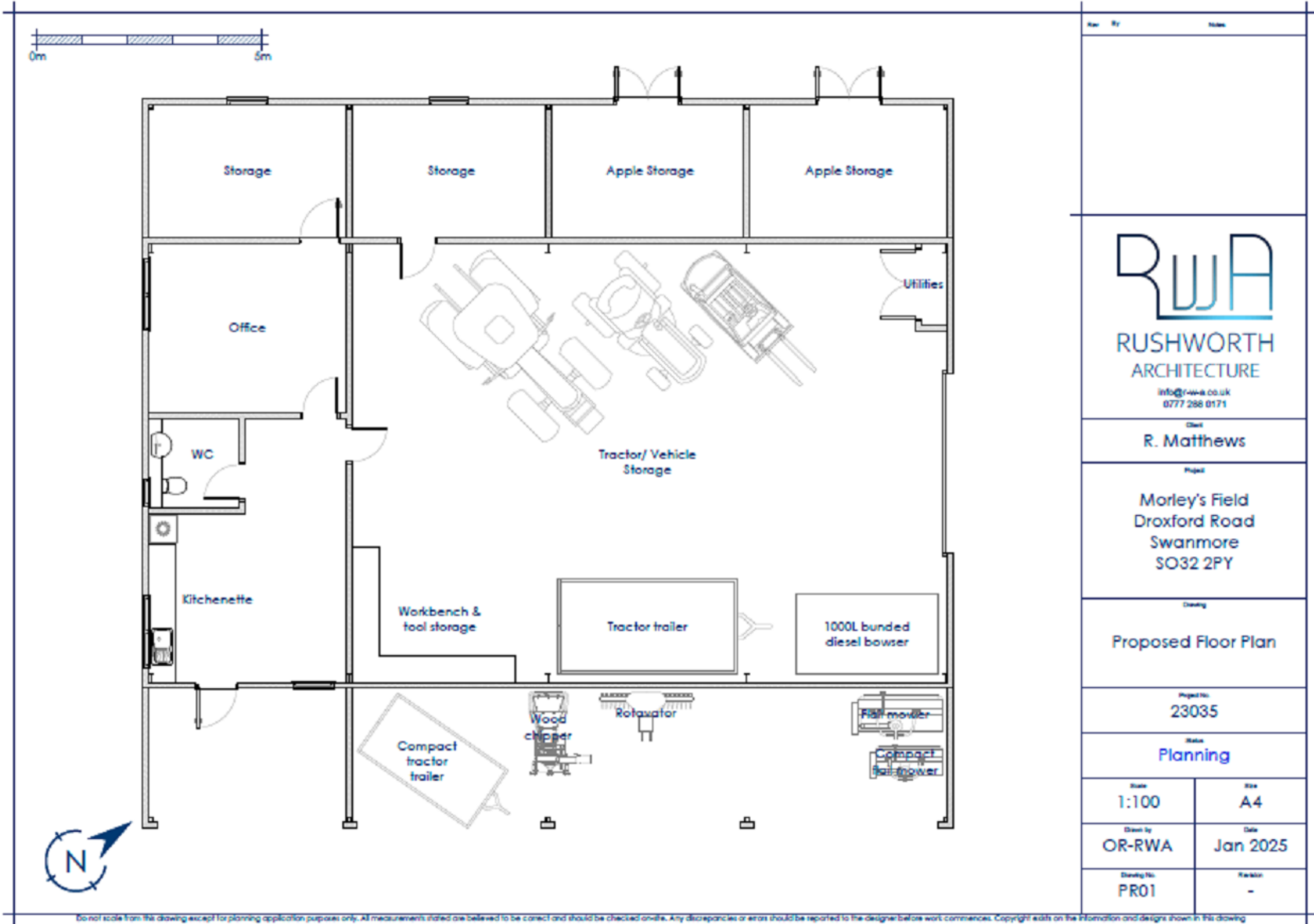


Proposed Elevations

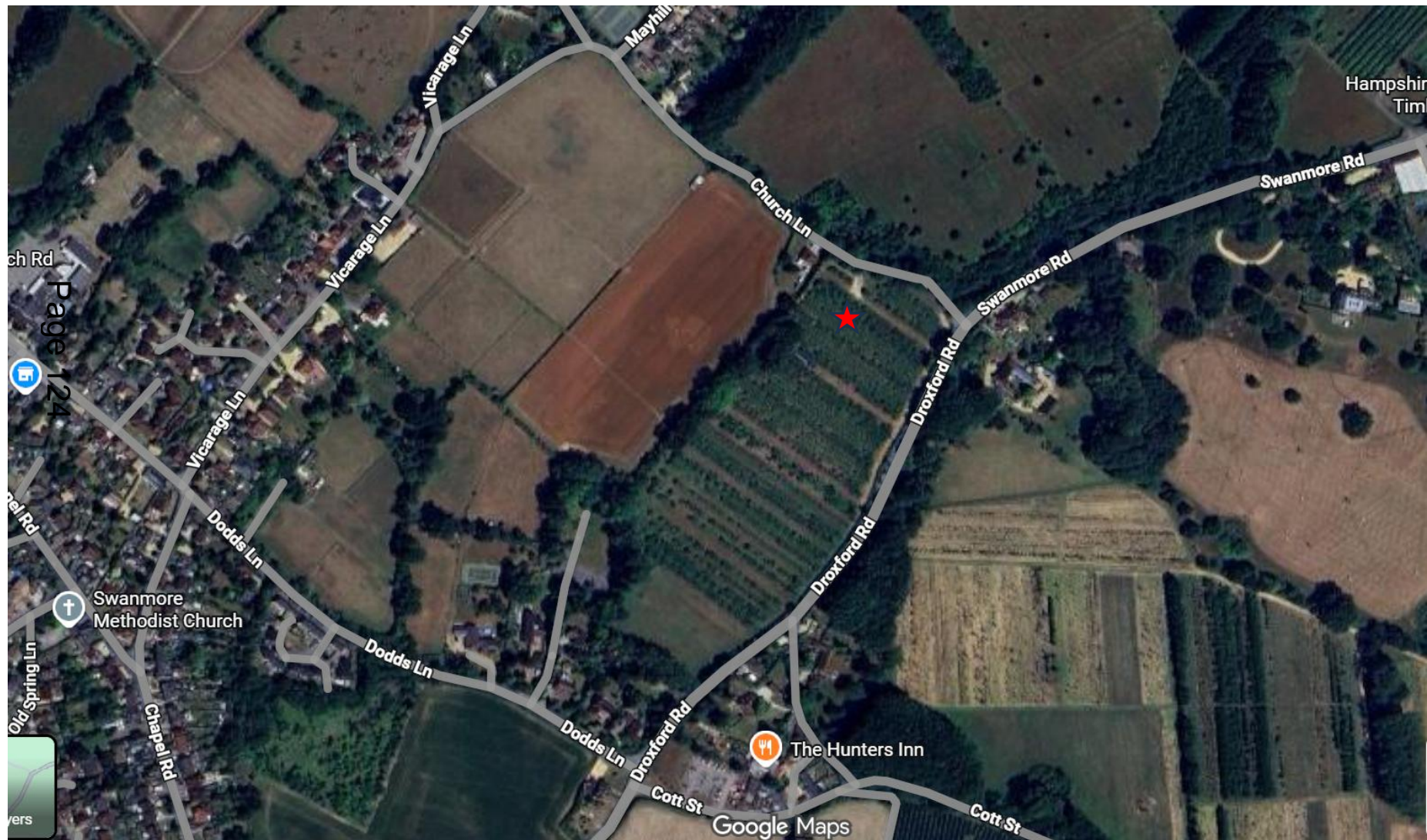


Proposed Floor Plan

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Aerial Map of the Area



View from Church Lane towards access



View from access on Church Lane



View from access on Church Lane



View from access on Church Lane



View from access on Church Lane looking towards Church Cottage



View from Church Lane



View from Church Lane



Rows of Orchard Trees



Boundary path (Droxford Road to NW)



View from Church Cottage (Church Lane)



View from Vicarage Lane across fields



View from PRow to NW boundary



Alternative access on junction of Church Lane/Droxford Road



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