



Meeting	Planning Committee
Date and Time	Wednesday, 15th July, 2026 at 9.30 am.
Venue	Walton Suite, Guildhall Winchester and streamed live on YouTube at www.youtube.com/winchestercc

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

A limited number of seats will be made available at the above named location however attendance must be notified to the council at least 3 clear working days (by 4.30pm on Thursday, 9 July 2026 before the meeting. Please note that priority will be given to those wishing to attend and address the meeting over those wishing to attend and observe.

AGENDA

1. **Apologies and Deputy Members**

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

2. **Disclosures of Interests**

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

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests (DPIs), other registerable interests (ORIs), non-registerable interests (NRIs) and on Pre-determination or Bias in accordance with legislation and the Council's Code of Conduct.

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

3. **Minutes of the previous meeting.** (Pages 9 - 14)

Minutes of the previous meeting held on 10 June 2026



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 9th July 2026 via email: planningcommittee@winchester.gov.uk OR Tel: on (01962) 848 339.on (01962) 848 339 to register to speak and for further details.

4. **Where appropriate, to accept the Update Sheet as an addendum to the Report**
5. **Planning Applications (WCC Items 6-10 and SDNP Item 11) (Reports, Presentations and Update Sheet refers)**
6. **Bishops Farm, Winchester Road, Bishops Waltham. Case Ref: 25/01383/FUL (Bishops Waltham;) (Pages 15 - 52)**
7. **Four Acres Ingoldfield Lane Newtown Fareham Hampshire PO17 6LF. Case Ref: 25/00572/FUL (Pages 53 - 94)**
8. **49 Broad Street Alresford Hampshire SO24 9AS. Case Ref: 23/01275/FUL (Pages 95 - 124)**
9. **1 Bridge Street Winchester Hampshire SO23 9BH. Case Ref: 26/00868/LIS (Pages 125 - 144)**
10. **Apple Crumble Pudding Lane Headbourne Worthy. Case Ref:26/00240/VAR (Pages 145 - 190)**
11. **1 Hinton Hill Cottages, Hinton Hill, Hinton Ampner, Hampshire, SO24 0JZ. Case Ref: SDNP/25/04792/FUL (Pages 191 - 220)**

**Laura Taylor
Chief Executive**

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



7 July 2026

Agenda Contact: Claire Buchanan, Senior Democratic Services Officer tel: 01962 848 438 Email: cbuchanan@winchester.gov.uk
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**With the exception of exempt items, agendas, reports and previous minutes are available on the Council's Website <https://www.winchester.gov.uk/councillors-committees>*

MEMBERSHIP

Chairperson:
Rutter (Liberal Democrats)

Vice-Chairperson:
Williams (Liberal Democrats)

Conservatives

Langford-Smith

Liberal Democrats

Ablitt
Aron
Gordon-Smith
Laming
Small

Ind & Green

White

Conservatives

Godfrey and Horrill

Deputy Members Liberal Democrats

Clear and Pett

Ind & Green

Cook and 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,**(Thursday, 9 July 2026) in order to allow the meeting to be managed as efficiently as possible.

Please keep to the time allocated.

After each speaker's category, there will be an opportunity for the committee to ask questions of the speakers, if the committee considers it necessary to clarify any matters of fact that arise.

Aside from this, the committee will not enter into any further discussion with members of the public.

The names of members of the public etc who have registered to address committee meetings will appear in the minutes as part of the public record, which will be included on the Council's website. Those wishing to address a committee meeting who object to their names being made available in this way must notify the Democratic Services Officer either when registering to speak, or within 10 days of this meeting.

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

Members' Questions

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

The Councillors' Debate

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

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

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

Voting

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

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

After the meeting

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

Filming and broadcast notification

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

Disabled access

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

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Public Document Pack Agenda Item 3

PLANNING COMMITTEE

Wednesday, 10 June 2026

Attendance:

Councillors
Rutter (Chairperson)

Aron	Langford-Smith
Clear	Pett
Gordon-Smith	Small
Laming	White

Apologies for Absence:

Councillor Ablitt and Councillor Williams

Deputy Members:

Councillor Pett (standing deputy for Councillor Ablitt) and Councillor Clear (standing deputy for Councillor Williams)

Other Members that addressed the meeting:

Councillor V Achwal

[Full recording of the meeting](#)

1. APOLOGIES AND DEPUTY MEMBERS

Apologies for absence were noted as above.

2. APPOINTMENT OF VICE-CHAIRPERSON FOR THE MEETING

RESOLVED:

That Councillor Gordon-Smith be appointed as Vice-Chairperson for this meeting.

3. DISCLOSURES OF INTERESTS

Councillor Pett declared a disclosable pecuniary interest in respect of agenda item 6 (Gravel Hill Farm, Gravel Hill, Shirrell Heath – case number: 25/02463/FUL) due to being a member of the South Downs National Park Authority. However, as there was no material conflict of interest, he remained in the room, spoke and voted under the dispensation granted by the Monitoring Officer that enabled him to participate and vote on such matters

Councillor Clear and Councillor Small declared a disclosable pecuniary interest due to their roles as Hampshire County Councillors. However, as there was no material conflict of interest, they remained in the room, spoke and voted under the dispensation granted on behalf of the Audit and Governance Committee to participate and vote in all matters which might have a County Council involvement.

4. **MINUTES OF THE PREVIOUS MEETING**

The Chairperson announced that the minutes of the previous meeting held on 26 May 2026 would be considered at the next committee meeting in July.

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

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

6. **PLANNING APPLICATIONS (WCC ITEMS 6 & 7) (REPORT 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:

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

7. **GRAVEL HILL FARM, GRAVEL HILL, SHIRRELL HEATH, SOUTHAMPTON (CASE NUMBER: 25/02463/FUL)**

Proposal Description: Item 6: Change of use from Use Class B1c/B2/B8 (19/00001/FUL) to Sui Generis bespoke to Turbocam including minor alterations to Rooflights and new external plant enclosure

It was noted that that majority of committee members present had visited the application site and the existing site on 9 June 2026 to enable members to observe the site in context and to gain a better appreciation of the proposals.

The application was introduced. Members were referred to the Update Sheet which set out in full the following:

- (i) Removal of business and replace with manufacturing on Condition 8.

Condition 8:

8. No manufacturing operations shall be carried out outside the building.

Reason: To ensure acceptable noise levels within noise sensitive premises are maintained and to limit the impact on residential amenity.

The reason for the change was to allow things such as business meetings outside and external repairs/maintenance to the building.

In addition, the planning case officer gave a verbal update at the meeting to advise that an email had been received from the applicant on 8 June 2026 and a copy of this had been circulated to all members of the committee.

During public participation, Alice Drew and Councillor Karen Bird (Shedfield Parish Council) spoke in objection to the application and Matthew Brussee and Stuart Morley spoke in support of the application and answered Members' questions thereon.

Councillor V Achwal spoke as Ward Member in objection to the application.

In summary, Councillor Achwal raised the following points:

1. She noted that the recent site visit was helpful for members to see the application site in its context with nearby roads.
2. She stated that the application should be judged on the intensity of the site's use and its suitability for a rural area with nearby homes, rather than just the building itself.
3. She highlighted that there had been 78 objections to the proposal, including an objection from Shedfield Parish Council, with residents expressing repeated concerns regarding noise disturbance, traffic, HGV movements, highway safety, and the impact on the rural character of the area.
4. While she acknowledged the positive improvements in the sustainability statement regarding energy performance and low carbon technology, she argued these benefits did not address the primary issue of the location being unsuitable.
5. She raised concerns regarding transport and accessibility, noting the site had no meaningful public transport, no footpaths, and very limited pedestrian access, making it a solely car-dependent site.
6. Councillor Achwal considered the proposal was contrary to policies CP10 and CP13, both of which seek to reduce the reliance on private vehicles.
7. Regarding highway safety, she noted that Shirrell Heath High Street was a long, straight road where she regularly received complaints about speeding, and that the site access was on the brow of a hill which reduced visibility.
8. She pointed out that nearby junctions leading to the site had seen several major collisions in recent years and urged members to consider the real safety risks of increased traffic and HGV movements, even if Hampshire Highways had not raised an objection.
9. She identified a significant gap in the application regarding HGV movements, stating it was unclear how many lorries would access the site, how often they would operate, or how they would be routed.
10. She questioned the wider public benefit of the development, noting that while it maintained employment on the site, it did not improve infrastructure, reduce car dependency, or deliver community gain.

11. She raised ecology concerns, stating that while the building had negligible potential for roosting bats, the external security lighting for the site's operation could negatively impact bats and wildlife in the nearby ancient woodlands and Gravel Hill SINC.
12. Councillor Achwal criticised the weaknesses in the suggested conditions, specifically noting that operating hours from 06:00 hours to 23:00 hours were too extensive for a rural setting, with a lack of HGV routing plans or noise monitoring.
13. In conclusion, Councillor Achwal urged the committee that if they were minded to approve the application, that stronger safeguards must be secured, including tighter working hours, noise complaint triggers, HGV management, and safety improvements on Shirrell Heath High Street.

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, the Update Sheet and the verbal update

8. **MARNE VILLA, 36 MAIN ROAD, LITTLETON, WINCHESTER, SO22 6QQ
(CASE NUMBER: 26/00619/HOU)**

Proposal Description: Item 7: Planning application for a two-bedroom annexe, rear extension to provide playroom and rooflight over existing roof

The application was introduced. During public participation, Lisa Fielding (Parish Clerk for Littleton and Harestock Parish Council) spoke in objection to the application and Mark Benzie spoke in support of the application and answered Members' questions thereon

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.

9. **PLANNING AND ENFORCEMENT APPEALS QUARTERLY REPORT - 1
JANUARY TO 31 MARCH 2026**

The Service Lead: Built Environment provided the committee with a detailed summary of the 10 planning appeal decisions for the period 1 January 2026 to 31 March 2026 and the 4 enforcement appeal decisions for the period 1 January 2026 to 31 March 2026.

The Chairperson thanked members and the Planning Team for the positive appeal outcomes achieved.

RESOLVED:

That the summary of planning and enforcement appeal decisions received during the period 1 January 2026 to 31 March 2026, be noted.

The meeting commenced at 9.30 am and concluded at 11.00 am

Chairperson

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Case No: 25/01383/FUL
Proposal Description: Retrospective change of use of dwelling to allow the premises to be used for supported living for up to 4 adults with learning difficulties (Amended Plans)
Address: Bishops Farm Winchester Road Bishops Waltham
Southampton Hampshire
Parish, or Ward if within Winchester City: Bishops Waltham Parish Council
Applicants Name: Mr H Foster
Case Officer: Nicola Martin
Date Valid: 9 July 2025
Recommendation: Approve subject to conditions
Pre Application Advice Yes – advised planning permission required

Link to Planning Documents

25/01383/FUL

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



Scale: 1:750

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Reasons for Recommendation

The development is recommended for approval as there is an identified need in Winchester District for supported living places for people with learning disabilities and autism. Harm to neighbour amenity due to overlooking and some general disturbance due

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to the currently unregulated use may be addressed by conditions. It is acknowledged that neighbours experience disturbance due to noise and activities of one or more individuals currently residing at Bishops Farm, however the activities of individuals are not a land-use matter and hence may not be considered to be a material consideration that may be considered in the planning balance.

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

Amendments to Plans Negotiated

Plans were amended during the application process to include an acoustic fence of 2.2m height, with planting of 'pleached trees' alongside. The fence, together with the pleached trees are not yet in-situ. Following receipt of the amended plans, further publicity and re-consultation was undertaken.

Further updated plans were received to indicate that an additional car parking space could be accommodated within the site. No further publicity was undertaken following the receipt of this plan as Officers did not deem it to represent a substantial or notable change to the proposals.

Site Description

The application site is a two-storey, detached building, originally a single dwelling, situated on the south side of Winchester Road and within the defined Settlement Boundary of Bishops Waltham.

Access into the site is directly from Winchester Road, with the front (north-east) of the site laid as hard standing for car parking and turning, although no spaces are marked out. The remainder of the outside space is laid to amenity space (garden, decking and hardstanding).

The closest residential neighbours are 9-13 Albany Court, (a row of terraced properties located to the south-east, the gardens of which back onto the garden of Bishop's Farm) and 10 Poppy Close which lies alongside the south-western site boundary. The topography of the area is such that the properties on Albany Court are slightly elevated in comparison to the application site, and no. 10 Poppy Close is set slightly lower than the application site.

The site is separated from the neighbours by a close boarded fence set on a brick or concrete plinth. The height of the fence (measured from the application site) alongside no. 10 Poppy Close is 1.93m. The fence is set on a brick plinth of 0.2m so that the total height of the boundary treatment is 2.13m. The residents at no. 10 Poppy Close have erected a trellis (with climbing plants) along half the length of the separating fence, increasing the height of that fence by a further 0.95m.

The total height of the fence (measured from the application site) to the rear of nos 10-13 Albany Court is 1.85m, with the fence raised onto a plinth of 0.5m, so that the total height of the fence is approx 2.3m, with additional intervening vegetation (of approx. 3m height) between the application site and the gardens of nos 10 and 11 Albany Court.

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Proposal

This is a retrospective application for a use which is understood to have commenced in August 2020. The supported living facility includes elements of Class C2 (Residential institutions) and elements of Class C3(b) *“Use as a dwelling house (whether or not as a sole or main residence) by b) not more than six residents living together as a single household where care is provided for residents”*

The building currently provides accommodation for up to four adults described as having learning difficulties (currently occupied by three adults). Two units (1 x 1 bedroom apartment and 1 x studio apartment) are provided on the ground floor. Each ground floor unit has access to private external amenity space, with a separate communal garden also available. Also on the ground floor are the communal lounge and kitchen, and a staff office. Two 1 x bedroom apartments are provided on the first floor, along with a staff bedroom, staff bathroom and boiler room.

The residents each have their own Assured Shorthold Tenancy and Bishops Farm is their main residence. The staff arrange regular shared activities and trips out, with the residents encourage to spend time together such as meal times.

The residents each require round the clock support, with a minimum of 1:1 care, although most of the residents at Bishops Farm require 2:1 support. The maximum number of staff expected to be present on site throughout the day would be 8 with visits from a manager occurring on a regular basis, although when residents are off-site (day centres/trips/appointments) the number of staff on site would reduce. Fewer staff are needed at night, with 5 staff currently on shift at night.

Staff work 12-hour shifts with staff changeover occurring at 8am and 8pm.

In addition, to the change of use, the plans were amended during the application process to include an acoustic fence of 2.2m height, with planting of ‘pleached trees’ alongside. The fence, together with the pleached trees are not yet in-situ. Following receipt of the amended plans, further publicity and re-consultation was undertaken.

Pleached trees have branches that have been trained and pruned in a specific manner to create a formal, structured appearance where the branches have been trained to grow in a horizontal or diagonal pattern, typically onto a framework made of bamboo or wire, which results in a, straight stem below and a leafy canopy above. Pleached trees may be evergreen or deciduous.

Further updated plans were received to indicate that an additional car parking space could be accommodated within the site. No further publicity was undertaken following the receipt of this plan as Officers did not deem it to represent a substantial or notable change to the proposals.

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Relevant Planning History

25/00133/LDC. Confirmation that the existing use of the property by up to 4 adults living together as a single household and receiving care falls within Use Class C3(b). Refused 02.06.2025.

“The Officer’s report indicates that the 24-hour care provided by the 8 carers for the 4 residents was considered to be too intensive for the use to be considered as a C3(b) use. The operational activities have a greater impact on the surrounding area and residents, which is indicative of a C2 use. The staff accommodation and communal garden also indicate a C2 use. However, the self-contained aspect of the 4 flats with additional communal space indicates a C3(b) use, as does the individual gardens to two of the flats.

The overall use of the building does not fall into C3(b) nor into C2, and it is therefore considered to be a mixed use (that is sui generis) which does not fall into one defined use class.”

Consultations

Hampshire County Council as Local Highways Authority: As the application is for 5 or fewer dwellings and features no change to the vehicular access, Hampshire County Council's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application.

WCC Environmental Protection: Full responses are provided at Appendix 1

Natural England: No objection, subject to appropriate mitigation being secured

Representations:

Bishop’s Waltham Parish Council - The Planning Officers must take into account neighbours' comments and concerns to future-proof this application. A substantial buffer zone (natural or man-made) must be planned in between this site and neighbouring properties to address concerns raised about noise, littering and anti-social behaviour.

31 letters of objection have been received from 21 separate addresses within Winchester District. The following concerns are raised:

Amenity

- Excessive noise and disruption during the evening and late into the night including screaming/shouting/racial abuse/fire alarms
- Anti-social behaviour from carers and residents
- Overlooking of neighbouring properties from upstairs windows
- Use of commercial light fittings/ floodlights in the car park which shine into neighbouring bedrooms
- Proposed trees will result in shading to neighbouring gardens
- The actions of staff encourage the screaming
- Proposed acoustic barrier will be ineffective especially for noise from upstairs rooms
- Car park used for socialising and smoking by carers
- The human rights of neighbours are breached by the noise from the application

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site

- Insufficient outside space for recreation for the residents
- The use of the outside doors as the main entrances into the flats, causing disturbance to neighbours
- The staff have not implemented the existing action plan to reduce the noise

Safety

- Objects are thrown into neighbouring gardens, ranging in size from cigarette butts to garden furniture.
- Concern regarding the safety of residents living in Bishops Farm
- Potential for the residents to harm neighbours

Visual Impact

- Proposed acoustic barrier will reduce integration of residents with community
- Proposed acoustic barrier is visually intrusive

Highway Safety & Car parking

- Road safety concerns due to ambulances reversing onto Winchester Road
- Bins are left out which block the grass verges on both sides of bishops Farm driveway, making them unpassable
- Insufficient parking on site to accommodate all of the staff leading to parking on grass footpaths and footpaths
- The level of traffic due to staff changeovers is unsuitable for a residential area

Other

- Neighbours were misled as to the use of the building when purchasing neighbouring houses. The site should have been registered as a care home to allow purchasers to be fully informed
- This residential area is unsuitable for a care facility for people with mental health problems
- Impact on property values
- The applicant has not engaged with the local community to respond to concerns
- Enforcement action to remedy breach of planning should be taken
- Retrospective application should count against this application
- Roots of proposed trees will damage adjacent gardens

Six letters of support have been received from addresses within Winchester District, raising the following points:

- Some of the noise emanates from music therapy which is beneficial for residents
- Some of the residents are non-verbal and the noises made are vocalisations for communication
- Noise from neighbours is not unusual in residential areas
- The staff are helpful and professional
- Bishops Farm is a safe place for the residents
- Bishops Farm is in a central location allowing residents access to local facilities
- The 2014 Care in the Community Act has moved people from institutions to

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community settings

- Local Government needs to support all people in communities including elderly and disabled
- People with autism respond badly to change
- The residents are happy and settled at Bishops Farm
- If Bishops Farm were to close it would be difficult to find new accommodation for the residents who may have to move long distances from their relatives
- Noise is not a land-use concern
- There is no highways objection to the level of parking on the site
- The house is monitored by the Care Quality Commission

Relevant Development Plan Documents and Policies

Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The current adopted development plans comprise:

- Hampshire Minerals and Waste Plan 2011-2030 (adopted October 2013)
- Winchester Local Plan 2020-2040 (adopted March 2026)

Hampshire Minerals and Waste Plan 2011-2030 (HMWP)

- Policy15: Safeguarding-mineral resources

Winchester Local Plan 2020-2040 (WLP)

- Strategic Policy SP2 Spatial Strategy and Development Principles
- Strategic Policy D1 High quality, well designed and inclusive places
- Strategic Policy D4 Design Principles for Market Towns and Rural Villages
- Policy D7 Development Standards
- Strategic Policy T1 Sustainable and Active Transport and Travel
- Policy T2 Parking for New Developments
- Policy T3 Prioritising Active and Sustainable Modes of Travel
- Policy T4 Access for New Developments
- Strategic Policy NE1 Protecting and Enhancing Biodiversity and the Natural Environment in the District
- Policy NE16 Nutrient Neutrality Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent and The River Itchen
- Strategic Policy H1 Housing Provision
- Strategic Policy H2 Spatial Housing Distribution
- Policy H3 Development within Settlements
- Policy H4 Meeting Housing Needs
- Policy E8 Local Shops, Services and Facilities

OTHER RELEVANT PLANNING POLICIES / GUIDANCE

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National Planning Policy Framework 2024 (NPPF)

- Chapter 2 Sustainable Development
- Chapter 4 Decision making
- Chapter 5: Delivering a sufficient supply of new homes
- Chapter 8: Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 15: Conserving and enhancing the natural environment
- Chapter 17: Facilitating the sustainable use of minerals

National Planning Practice Guidance

- Housing for Older and disabled people
- Noise

Planning Considerations

Key Issues

- Assessment under 2017 EIA Regulations
- Principle of development
- Design and impact on the character of the area
- Impact on neighbouring properties
- Heritage
- Flooding/drainage
- Contamination
- Sustainable Transport
- Natural Environment and Biodiversity Net Gain
- Appropriate Assessment
- Minerals and Waste

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.

Principle of development

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

Policy SP2 of the WLP states that the council will support the delivery of new housing, economic growth and diversification, as appropriate for each of the three spatial areas. For the Market Towns and Rural Area (which includes Bishops Waltham), the policy states that

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provision will be made for about 2,675 new homes and support economic and community development that serves local needs in the most accessible and sustainable locations, which promotes the vitality and viability of communities. Development will be required to (*inter alia*) contribute to individual and community well-being, health and safety and social inclusivity; and achieve high standards of design.

Policy H4 states that proposals for well-designed specialist and supported housing will be supported where the site is in accordance with other policies and in an appropriate location to allow integration into the local community, in close proximity to local facilities and services and can be easily accessed by sustainable transport and an appropriate tenure mix is provided.

Chapter 8 of the NPPF states that planning decisions should aim to achieve places which (*inter alia*) promote social interaction including opportunities between people who might not otherwise come into contact with each other; enable and support healthy lives.

Winchester Strategic Housing Market Assessment Update (WSHMA)¹ identifies a need for specialist and supported housing for older people and disabled people, but focused on housing for the elderly and for wheelchair users, rather than housing for people with learning disabilities and autism. However, reference is made to the HCC Market Position Statements on Learning Disabilities and Autism (2024), which indicates that over the period, the requirement for supported living for adults with learning disabilities and autism is expected to grow by 17% from 1,438 places (2024) to 1,738 places (although it is noted, that the 'future' date is not specified within that report).

Policy E8 relates to the provision of local facilities and services and includes health and care establishments, including nursing/care homes which includes C2 uses such as included within the development proposed here. This policy states that proposals for the development of new services will be supported in accordance with policies SP1 and SP2.

Having regard to the above policies, alongside the fact that the development falls within the settlement boundary of Bishops Waltham, it is concluded that the general principle of the proposed development is acceptable, subject to the proposals also being in accordance with all other relevant policies within the Development Plan.

Impact on character and appearance of area

The application site comprises a detached two-storey dwelling of late 20th century construction, constructed of buff brick with brown concrete pantiles over the roof, together with the parking area to the front, and amenity areas to the rear and sides of the building. The area surrounding the application site on the south side of Winchester Road has a generally quite fine urban grain, typically comprising of smaller dwellings (detached, semi-detached and terraced) within small to medium sized plots.

The proposed change of use would not result in any alterations to the building. Externally, an acoustic fence of 2.2m height is proposed; this would be erected along the south-

¹ Winchester Strategic Housing Market Assessment Update (WSHMA) (Final Report) July 2024, Iceni Projects

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western boundary (alongside No. 10 Poppy Close) and along the south-eastern site boundary (alongside Nos. 10-13 Albany Court). The acoustic fence would have an interlocking timber board profile on both sides. The fence itself would be an additional approximately 0.3m above the height of the existing fence between the application site and no. 10 Poppy Close and would be lower than the raised trellis section of the separating fence. The proposed acoustic fence would be an additional 35cm taller than the height of the existing fence between the application site and nos. 10-13 Albany Court. In addition, the applicant has submitted plans indicating that pleached trees of 1.8m stem height (with additional height of approx. 0.75m provided by the branches) would be planted alongside the fence to provide further screening. This would provide screening at a similar height as the existing plus the trellis.

Concern has been raised that the proposed acoustic barrier is visually intrusive. Given the change in levels between Albany Court and the application site, it is considered that the proposed barrier would not be particularly intrusive to the residents of Albany Court. It is noted that the erection of the fence and planting of the pleached trees would likely involve the removal of the existing vegetation along the south-eastern boundary/in the southern corner of the site, that sits between the application site and nos.10 & 11 Albany Court.

Whilst no detail has been provided for the species or method of planting for the proposed trees, Officers are satisfied that this could be secured by landscape condition to include details of vegetation to be retained on site. A further condition to require submission of samples of materials proposed for the acoustic fence would ensure that the proposed materials are visually acceptable.

Concern has been raised that the refuse and recycling bins are kept out on the grass verge alongside the entrance to the site, thus blocking the passage of pedestrians along an unofficial track which has been created within the grass verge. It is noted that there is a pavement on the northern side of Winchester Road. Officers have passed by the site on a number of different occasions at which times no rubbish or recycling bins were observed outside the site. The submitted plans include provision for bin storage within the site, and Officers are satisfied that this is sufficient for the requirements of the site.

Impact on neighbouring properties

Other than the proposed acoustic fence, there is no construction proposed to be undertaken. As previously described, the change in height from the existing close boarded fence to the proposed acoustic fence is relatively minor and would not give rise to any overbearing or shading effects.

Overlooking

Concern has been raised regarding the potential for overlooking from the upstairs apartments. It is acknowledged that the arrangement of the rear gardens of nos 12 and 13 Albany Close in particular, experience direct overlooking from the upstairs windows, given that these gardens are set back 4.5-5m from the rear elevation of Bishops Farm. It is noted
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that the internal arrangement of the rooms on the first floor is such that the windows to the rear of the building, i.e. the south-east elevation, facing the rear gardens of Albany Court, serve the staff bedroom, a bathroom, the boiler room, and the kitchen area for one of the first-floor apartments (apartment 3).

Historical maps indicate that the dwellings at Albany Court were constructed after Bishops Farm which at that time was a single dwelling. Were Bishops Farm to revert to a single dwelling, the potential for overlooking of the rear gardens of nos. 12 and 13 Albany Court would still be possible; the only difference being that the kitchenette would likely revert to a bedroom. Views from daytime living spaces such as a kitchen or living room are generally considered to be more intrusive/impactful to privacy than those from bedrooms. As such, Officers consider that the presence of the upstairs living/kitchen window is having a harmful effect on the residential amenity of the occupants of nos. 12 and 13 Albany Court due to loss of privacy in the rear gardens.

It is noted that the living/kitchen space of apartment 3 benefits from a second window which faces south-west towards the boundary with no. 10 Poppy Close. The south-west elevation of Bishops Farm is set back 10m from the boundary with that neighbour, and given the existing boundary treatment and orientation, views into the garden of that property from the first floor living room window are generally screened by the existing boundary fence together with the trellis erected by the owners of no. 10 Poppy Close on top of that fence. Officers have observed that only the top part of that window is visible from the garden of no. 10 Poppy Close indicating that views into the garden of that property from the kitchenette window on the southwest elevation are likely to be limited. The proposed acoustic fence with pleached trees would provide similar levels of visual screening from the application site and could be secured by a condition, ensuring that the level of screening is retained.

As such, it is considered that a condition to require installation of a suitably opaque window treatment on the kitchen window for apartment 3, together with the installation of the acoustic fence with pleached trees would reduce the level of overlooking and harm to privacy to a similar level than that which would be expected were Bishops Farm to revert to a single dwelling.

One of the windows to the living room of apartment 4, also on the first floor, faces north-west and is set back 7.5m from the boundary of the application site, however this window overlooks the adjacent road, and is set back 25m from the front elevations of no. 7 and 9 Poppy Close. Whilst the occupant of apartment 4 could have a view of the front gardens of those neighbouring dwellings, no loss of privacy would result due to the intervening distance and also that front gardens are not considered to be private amenity spaces.

Noise and Disturbance

Comments and objections received from neighbours highlight incidences of noise and disturbance emanating from the application site during the day and also at night. With regard to noise, concerns are raised regarding the type of noise and the time of day that this occurs. Neighbours have described the types of noise disturbance as 'racist comments', 'screaming', 'screeching', 'aggressive outbursts' and 'crying'. Neighbours have described changes to their behaviour in response to noise from application site, which include avoiding spending time in their gardens and keeping windows closed.

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In addition, concerns have been raised regarding noise and smoking from the staff when outside of the building.

The applicant has provided a legal opinion which considers whether impacts to residential amenity due to noise and disturbance caused by residents of the care facility would be a material consideration in terms of land-use, sufficient to constitute a reason for refusal. The legal opinion highlighted that only land-use considerations are material to the determination of planning applications, referencing in particular, *Stringer v the Minister for Housing and Local Government* [1970] 1 WLR 1281. It is noted that the Judge in that case stated that *"It seems to me that all considerations relating to the use and development of land are considerations which may, in a proper case, be regarded as planning considerations"*

The legal opinion goes on to state that whilst *"the class of occupation of a proposed development may be a relevant consideration where it flows from the particular land use proposed, but the identity of individual occupants is not a material planning consideration"*. The legal opinion cites *West Midlands Probation Committee v Secretary of State for the Environment*, which concerned a proposed extension to a bail hostel. In that case, the Court found that a fear of crime emanating from a proposed development is capable of being a material planning consideration to a planning decision. The pattern of anti-social behaviour arose from the use of the land as a bail hostel and did not arise merely because of the identity of the particular occupier or of particular residents.

The legal opinion states that the issues arising in terms of noise and disturbance are due to the actions and behaviours of particular individuals rather than resulting from their disability, stating that *"there is no evidence that disabled occupants requiring care are any more likely to be antisocial or noisy than non-disabled occupants."*

This application is for change of use as supported living for up to 4 adults with learning difficulties. The submitted Planning Statement indicates that residents with more severe or complex forms of Autism may exhibit challenging behaviours and find it difficult to interact with other occupants of the facility. The Noise Technical Note further states that some of the residents are non-verbal and therefore communicate in other ways which results in sporadic noise and disturbance.

The Challenging Behaviour Foundation (CBF) is a UK charity specialising in severe learning disabilities. The CBF's website² describes 'challenging behaviour' as a range of behaviours which some people with severe learning disabilities may display to get needs met, including behaviours such as screaming, self-injury, and other destructive behaviours (e.g. throwing things, breaking furniture, tearing things up) CBF also states that *"It is relatively common for individuals with a learning disability to exhibit challenging behaviour, especially those with severe learning disabilities. Prevalence rates range from 5% to 15% in educational, health, or social care services for people with learning disabilities."*

Whilst episodic demonstrations of challenging behaviour is a recognised characteristic of some people with severe learning disabilities, the prevalence rates indicated by the CBF do not suggest that all people with severe learning disabilities who might live at Bishops Farm would experience such challenging behaviours.

² [001 Understanding Challenging Behaviour Info Sheet](#)

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It is noted in the case of the bail hostel (West Midlands Probation Committee v Secretary of State for the Environment) annoyance and fear of crime was found to be directly related to the use of the land due to the established pattern of behaviour of the residents passing through, rather than as 'isolated and idiosyncratic behaviour' of particular residents. In that case, the hostel accommodated up to 12 'bailees' with a typical stay being only 4 weeks. The applicant has advised that there have been only 4 residents at Bishops Farm since it began operating as a supported living facility, so whilst the behaviour exhibited by residents may be an established pattern for one or more of the individuals living at the site, there is not sufficient evidence to indicate that such behaviour is representative of other individuals with learning difficulties who might be housed at the supported living facility in the future.

It is noted that WCC Environmental Protection Officers have received formal complaints from two neighbours regarding noise and antisocial behaviour from the site dating back to July 2021, with subsequent complaints received in 2022, 2023, 2025 and 2026. Recordings of the noise and disturbances have been made by neighbours and provided to WCC Environmental Protection Officers, in response to which, noise monitoring devices were erected at one neighbouring dwelling, in April 2022, for approximately a week. That recording was reviewed by the Council's Environmental Protection Officers who found that the noise levels recorded were not of sufficient duration or frequency to breach the threshold for statutory nuisance levels and as such a case could therefore not be progressed using the Council's statutory nuisance power (defined under Section 79(1)(g) of the Environmental Protection Act 1990 as "noise emitted from premises so as to be prejudicial to health or a nuisance").

Notwithstanding that the threshold for statutory nuisance has not been breached, Environmental Protection Officers have expressed concerns that neighbouring residents are being adversely impacted, in respect to amenity, by the Bishops Farm site.

The applicant has submitted an acoustic report which proposes a 2.2m acoustic fence to be erected alongside the boundaries with neighbouring dwellings, along with planting of pleached trees to provide a landscape barrier, although the acoustic report acknowledges that the level of attenuation offered by any barrier will be negligible at upper floors of the neighbouring dwellings, if outside of the effective line of sight for the barrier. This indicates also that the barrier would be ineffective for noise emanating from the upstairs of Bishops Farm building.

In addition, the applicant has provided details of an Action Plan which was devised in response to complaints from neighbours and seeks to address a number of concerns, including noise. These include keeping upstairs windows closed (to which end air conditioning units have been installed in the upstairs apartments); regular contact with neighbours; moving residents indoors if expressing noisy behaviours. It is noted that some objections have raised concern that the Action Plan measures to reduce noise have not been implemented by the staff.

In addition, neighbours and objectors have described other disturbances, including incidences where items have been thrown over fences, into neighbouring gardens or into the street (Poppy Close). The applicant has stated that they (as the operator of the facility) are required to record incidences of this type and has provided details of throwing incidences which have occurred within the past 5 years as follows:

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- 17.01.2026 - individual was playing in the garden and threw two footballs over the neighbour's fence.
- 31.03.2024 - individual was being supported with taking the bins out when he ripped and threw items of rubbish over the wall in the driveway area.
- 30.07.2023 - Individual threw 2 garden plastic items (watering can and plastic plant pots) over the fence, with one going into another one of Bishop Farm sectioned garden areas and another going into a neighbour's garden.
- 08.11.2021 - individual threw items of clothing over the neighbouring fence, taking it from the washing line.
- 21.06.2021 - individual threw two cushions over neighbour fence.

These records suggest that the throwing incidents are relatively sporadic and are not wholly dissimilar to what might occur should the house be occupied as an individual residential dwelling (C3) use. It is noted that objections from neighbours indicate that in addition to the above, items such as a clothes airer and garden furniture have also been thrown over the boundary fence.

Other disturbances described by neighbours include noise and disturbance from the employed carers at the times of changeover (8 AM and 8 PM); use of the car park at the front of the site for smoking and conversation; use of floodlights on the site which shine into neighbouring bedrooms; and use of the external doors from the gardens as the main entrances into the flats.

In terms of the use of the external areas for smoking and conversation, and also the use of the external /garden doors to gain entrance into the flats, these activities might occur with a typical C3 domestic dwelling and Officers consider that this is not specifically related to the character of the use of the land for its use as a supported living facility (C3(b) / C2). However, as previously described, a condition to require the submission of a plan identifying a designated smoking area for use by staff, to be located away from neighbouring gardens should help to address some of the concerns relating to noise /odour/smoke from smoking activities.

With regard to the use of external lighting, no details of lighting have been provided, although Officers have observed low height (approx.1.2m height) lights located in the car parking area and within the garden. Should the application be approved, a condition to require submission of details of existing external lighting, and a restriction on any further external lighting would be attached to the decision notice.

It is acknowledged that Bishops Farm could accommodate a large family which could generate noise and disturbance from the use of the garden, playing music, or raised voices. A family might use the outside space at any time, whereas for the proposed use, a condition to restrict the times of use of the outside space could possibly be attached to a permission. However, given that the proposal is to provide a home for the residents, which they lease through Assured Shorthold Tenancy agreements, Officers are concerned that restricting the use of the amenity space would be unreasonable as it would result in unacceptable impact to the amenity of the residents of Bishops Close themselves and be discriminatory.

Overall, the actions of and noise from one or more of the residents has affected the amenity of neighbours as evidenced by the high number of public representations

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received. The concerns relating to overlooking from upstairs living /kitchen areas and also staff smoking can be addressed by the use of conditions. The proposed acoustic barrier together with landscaping /planting would be expected to reduce the level of noise experienced by neighbours when in their gardens emanating from the gardens of Bishops Farm, although not the noise experienced at first floor level.

However, it is acknowledged that noise generated by individuals is not a land-use matter and hence not a material consideration that can be controlled by planning conditions. The Action Plan proposed by the applicant suggests measures that staff can take to manage the behaviour of residents and reduce the noise experienced by neighbours, however, Officers have some concerns that a condition to require adherence to the existing Action Plan would not meet all of the six tests for conditions, in particular whether a condition is enforceable.

However, other elements that affect the amenity of neighbours can be controlled by condition and would meet all of the tests. These include the proposed acoustic fence; landscape management and maintenance; and the creation of a designated staff smoking area away from neighbours' gardens; and opaque window treatment to first floor living spaces that directly overlook the rear gardens of neighbours. It is acknowledged that the noise generated by particular individuals is not a land-use matter so that a condition to require its erection might not necessarily meet the 6 tests, however the acoustic fence would also help to mitigate the general noise/hub-bub generated at the site by the additional numbers of staff and visitors to the site which are present due to its function as a supported living facility, and in addition would improve visual screening and for this reason would satisfy the relevant NPPF tests.

As such, should permission be granted, conditions to secure these items would be attached to the decision notice.

The development would therefore comply with the requirements of WDLP policy D7 (Environmental Standards), and chapter 12 of the NPPF.

Historic Environment

There are no designated or undesignated heritage assets within 500m of the application site.

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

Flooding/Drainage

The site is located within Flood Zone 1 and there are no areas at high risk of surface water flooding within the application site. Officers are satisfied that the development would not result in any increased flood risk.

Contamination

N/A

Sustainable Transport

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The applicant has advised that each of the three current residents has their own car through the Mobility Car scheme, with carers using them to drive residents to appointments / day centres etc. As such, up to four car parking spaces may be required for residents.

With regard to staff, the applicant has advised that care support is provided around the clock, with most of the residents requiring 2:1 support during the day, with fewer staff required to be onsite during the night. The maximum number of support staff required during the day is 8 (with additional visits from the Area Manager), with 5 staff on duty during the night. Staff work on 12-hour shifts, with changeover usually occurring at 8am, and 8pm.

The modes used by staff for travelling to work include car; car share; public transport or taxi. The applicant has advised that typically, the maximum number of members of staff accessing the site by car for the day shift is 3, with 2 members of staff accessing the site by car for the night shift. The 8 spaces within the site would provide sufficient capacity for both day and night shift, although it is noted that manoeuvring of vehicles may be required at changeover periods. It is noted also that the application site is located within a sustainable location within Bishops Waltham which benefits from public transport links to Winchester, Fareham, Southampton along with nearby villages

Due to the scale of the development and that use is being made of an existing access, HCC Highways has referred Officers to its standing advice, which is in essence to recommend that a suitably worded condition is provided to ensure, where appropriate, that vehicles can enter and leave the site in a forward gear.

In addition, it is noted that no secure or covered cycle parking is provided for members of staff or for visitors, however this can be secured by condition should the development be approved.

WLDP policy T2 (Parking for New Developments) requires applicants to provide justification for the level of car parking provided on site which should take account of the local circumstances, including layout of development, mix of dwellings, the character of the local area and the proximity of public transport.

Officers consider that, subject to conditions to secure cycle parking and to ensure that vehicles can enter and leave the site in forward gear, that the development will comply with WLDP policies T1 and T2

Natural Environment and Biodiversity Net Gain

The application site is located within the defined Settlement Boundary of Bishop's Waltham and is not located within any internationally, nationally or locally designated sites of nature conservation value. The closest site of nature conservation value is Albany Farm SINC (Site of Importance for Nature Conservation) which is located 200m to the south-east.

No changes are proposed to the structure of the building, which is of mid to late 20th century construction without hanging tiles. In addition, no trees are proposed to be

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removed. Officers are therefore satisfied that no adverse impact to onsite or local biodiversity would result.

No indication of biodiversity enhancements is proposed which is contrary to WDLP policies NE1 and NE5, however, a condition to secure biodiversity enhancements could be attached to a permission, should the development be approved.

Regarding Biodiversity Net Gain (BNG) this is an application under S73A of the Town and Country Planning Act 1990 i.e. it is a retrospective application for development that has already taken place. As such, the development is exempt from the requirements of Schedule 7A 'Biodiversity Gain in England' of the Town and Country Planning Act 1990 (as amended).

Appropriate Assessment.

The application site is located within the catchment of the Solent and Southampton Special Protection Area (SPA) and Ramsar site, Solent Maritime Special Area of Conservation (SAC). Portsmouth Harbour SPA and Ramsar Site. Chichester and Langstone Harbours SPA and SAC, which are collectively known as the Solent SPAs.

Development within the district will increase the human population at the coast, and thus increase the level of eutrophication, resulting in loss of feeding grounds and disturbance of bird species. The impacts of eutrophication (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as eutrophication can cause important habitat and feeding grounds to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by eutrophication and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of eutrophication can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European sites.

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution of 0.61 Kg/N/year would be made. It is noted that this calculation was undertaken on the basis of a water usage figure of 110 litres/ person/day which is higher than the figure of 100 litres/person /day specified within WDLP policy CN4, however it is acknowledged that this application was prepared and submitted a considerable time before the adoption of the current local plan, with the reduction in policy compliant water usage.

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 from Natural England.

The Authority's Appropriate Assessment is that the application, coupled with a mitigation package secured by way of a Grampian condition, complies with this strategy and would result in nitrogen 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. The applicant has provided evidence to demonstrate that sufficient nitrate credits are available to purchase from Eastleigh Borough Council.

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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

Minerals and Waste

The application site falls within a Minerals Consultation Area (MCA) for Superficial Sand and Gravel which requires Local Planning Authorities to consult with HCC as the Minerals Planning Authority (MPA) on development within the MCA that could affect or be affected by mineral working. Given that the application site is located within an existing building, within an established residential area and within the defined settlement boundary of Bishop's Waltham, Officers consider that the proposed development would not affect or be affected by mineral working, and hence consultation with the MPA has not been undertaken.

Human Rights Act

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

Comments

The First Protocol of the Human Rights Act 1998 incorporates three specific additional rights from the European Convention on Human Rights (ECHR) into UK law.

Article 1: Protection of Property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties

Public representations have raised concerns that the use of the site, and the noise generated by one or more of the residents, breaches the rights of neighbours, as provided by Article 1, to the peaceful enjoyment of their possessions such as their house and gardens. Officers have given great consideration to the matter of noise and disturbance and the potential for breach of this article. As previously discussed, noise generated by individuals is not a land-use /material consideration

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that can be addressed through the planning application process and instead is addressed through statutory nuisance powers under the 1990 Environmental Protection Act.

Equality and Diversity

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

Paragraphs 11 of the NPPF deals with the “presumption in favour of sustainable development” and sets out that:

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

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

The development provides supported living accommodation for people with learning disabilities in a sustainable location within an existing settlement, in proximity to facilities and services, enabling integration into the local community. Within Winchester District there is an identified need for places for supported living for adults with learning disabilities and autism. This represents a substantial benefit of the development.

At present, neighbours to the south-east of the site are experiencing harm to residential amenity due to overlooking from a first-floor living/kitchen window. This can be addressed by a condition to require that particular window be obscurely glazed. Views from other upstairs windows would either not result in direct overlooking, or would be from bedroom windows, as would occur from a private dwelling. Other harm to amenity, due to staff smoking, can be addressed by a condition to secure a dedicated staff smoking area away from boundaries with immediate neighbours. These would both represent neutral benefits as they address the harms currently resulting from this unregulated use of the site.

It is acknowledged that noise experienced by neighbours that arises from the actions/communications of particular individuals is affecting the amenity of neighbours.

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Officers have given this matter lengthy consideration and have concluded that whilst there is no reason to disagree with neighbours that the disturbances have resulted in impacts to their quality of life, this is not a land-use matter, and hence, not a factor that may be taken into account by Officers within the context of this planning application. The proposed acoustic barrier would be expected to reduce the levels of noise experienced within the gardens and ground-floor living areas of neighbouring dwellings, along with the general noise due to the function of the site providing supported living.

The benefits provided by nutrient mitigation through the purchase of credits, addresses only the impact of the development itself and is hence, neutral. The biodiversity enhancements to be secured by condition would represent a minor benefit of the scheme.

In conclusion, it is considered that the proposal accords with national planning policies and the Development Plan policies and does not raise any material matters that weigh sufficiently against the granting of planning permission.

Recommendation

Approve subject to the following condition(s):

Conditions

01 The development hereby approved must be constructed in accordance with the following documents and drawings:

- o S-NM-417.05F Floor Plans (Nov 2025)
- o 240024-01 Site Location Plan (16/12/24)
- o S-NM-417.03 Rev B Site Plan (Nov 2025)
- o 240024-02 Block Plan (16/12/24)

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

02 Within three months of the date of this permission, the following shall be submitted to, and approved in writing by, the Local Planning Authority:

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

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Reason: To accord with the Conservation of Habitats and Species Regulations 2017

03 Notwithstanding the approved plans, within three months of the date of this permission, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- Vegetation/planting to be retained
- All boundary treatment;
- Hard surfacing materials;
- Means of enclosure, including any retaining structures;

Soft landscaping works shall include:

- Planting plans (for new trees and any other planting);
- Written specifications (including cultivation and other operations associated with plant and tree establishment);
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- Pleached trees along the boundary shall have a trunk height of 1.8m;
- Implementation programme.

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

04 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the programme agreed with the Local Planning Authority (as per condition 3). If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season.

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

05 Within three months of the date of this permission, full details of all existing exterior lighting including positioning on the building, level of luminance, and details of any motion sensors or timers shall be submitted to and agreed in writing by the Local Planning Authority. No additional external lighting shall be erected.

Reason: In the interest of residential amenity of neighbours.

06 Within three months of the date of this permission, a Biodiversity Enhancement Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Biodiversity Enhancement Plan shall be implemented as approved and retained thereafter.

Reason: In the interest of biodiversity

Case No: 25/01383/FUL

WINCHESTER CITY COUNCIL
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07 Notwithstanding the approved plans, within three months of the date of this permission, a Parking Plan shall be submitted to, and approved in writing by, the Local Planning Authority. This shall demonstrate that that vehicles parked on site are able to enter and leave in forward gear. The Parking Area shown on the approved plan for the parking and turning of vehicles shall be provided and reserved for these purposes at all times.

Reason: To ensure that vehicles parked on the site are able to enter and leave in forward gear

08 Within three months of the date of this permission, the following details shall be submitted to and approved in writing by, the Local Planning Authority:

- secure and covered area for cycle parking
- dedicated outside staff smoking area. This shall be located other than alongside the south-western and south-eastern site boundaries.

Reason: In the interests of sustainable transport and residential amenity of neighbours.

09 The first floor window in the south-eastern elevation, that serves the living/kitchen area of apartment 3, shall be glazed with obscure glass or provided with a secondary covering which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4 and the glazing /secondary covering shall thereafter be retained in this condition at all times.

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

10 Within three months of the date of this permission, full technical details of the acoustic fence shall be submitted to, and approved by, the Local Planning Authority. The acoustic fence shall have a sound reduction capacity of no less than 28dB at a height of 2.2m and shall be erected within two months of the date that the Local Planning Authority approve the technical details of the barrier. The acoustic barrier shall be erected in accordance with the approved plans S-NM-417.04 Rev A and S-NM-417.03 Rev B and the Vine Acoustics Technical Note (Ref: 0087, dated 10/02/2026) and retained thereafter.

Reason: In the interest of residential amenity of neighbouring properties.

Informatives:

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

work with applicants/agents in a positive and proactive manner by;

- offer 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.

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WINCHESTER CITY COUNCIL
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Appendix 1

Environmental Health Comments in Full

18/08/2025

Thank you for your consultation. Environmental Health are aware of the history of the site and have received a number of complaints regarding noise and antisocial behaviour from the site dating back to 2022. We currently have a case open regarding noise from residents at the site.

The noise reported to us and captured on recordings from neighbouring impacted residential properties include screaming, shouting, noise from nonverbal residents and music. These noises can be intermittent and can occur at any point during the day and night. While our investigations to date have not been able to progress a case using our statutory nuisance powers, we do believe that neighbouring residents are still being adversely impacted, in respect to amenity by the Bishops Farm site.

I would not be able to support this application due to the impact on the amenity of the neighbouring residents.

08/12/2025

Thank you for your consultation. I note the legal agreement [*opinion*] submitted by the applicant and I have nothing further to add to my original response.

I note that the applicant has submitted plans for an acoustic fence along one boundary with Albany Court and the closest properties on Poppy Close as a form of noise mitigation. Without an acoustic assessment to support the installation of the fence, I would not be confident in stating that the fence will provide any reduction in noise from the site.

15/12/2025

As you know, we recently met with the applicant and their Planning Agent. It was useful to understand how the site works and the complex needs of the residents and we have much empathy for their position. However, we were not able to collectively find a solution to adequately mitigate the noise impacts and we continue to be of the opinion that, if approved, there will be significant adverse impacts on the amenity of the surrounding neighbouring properties.

20/02/2026

Thank you for your consultation. I have reviewed the technical note from Vine Acoustics and I have no adverse comments over what has been produced. If you are minded to grant permission for this development, it is recommended that you include a condition that any acoustic fencing must meet the attenuation levels as detailed in the Technical note.

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25/01383/FUL

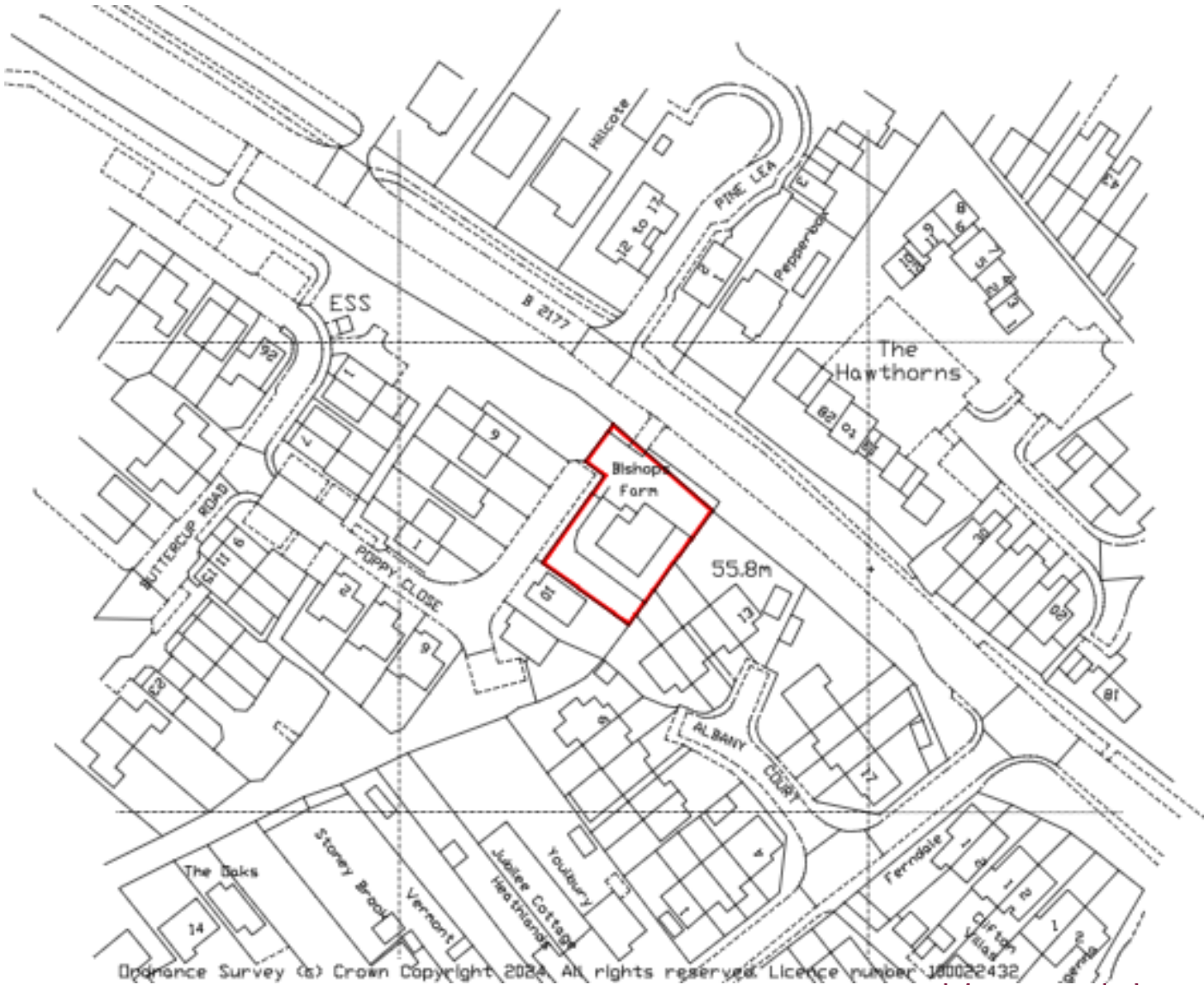
RETROSPECTIVE CHANGE OF USE OF DWELLING
TO ALLOW THE PREMISES TO BE USED FOR
SUPPORTED LIVING FOR UP TO 4 ADULTS WITH
LEARNING DIFFICULTIES (AMENDED PLANS)

Page 39

BISHOPS FARM, WINCHESTER ROAD,
BISHOPS WALTHAM

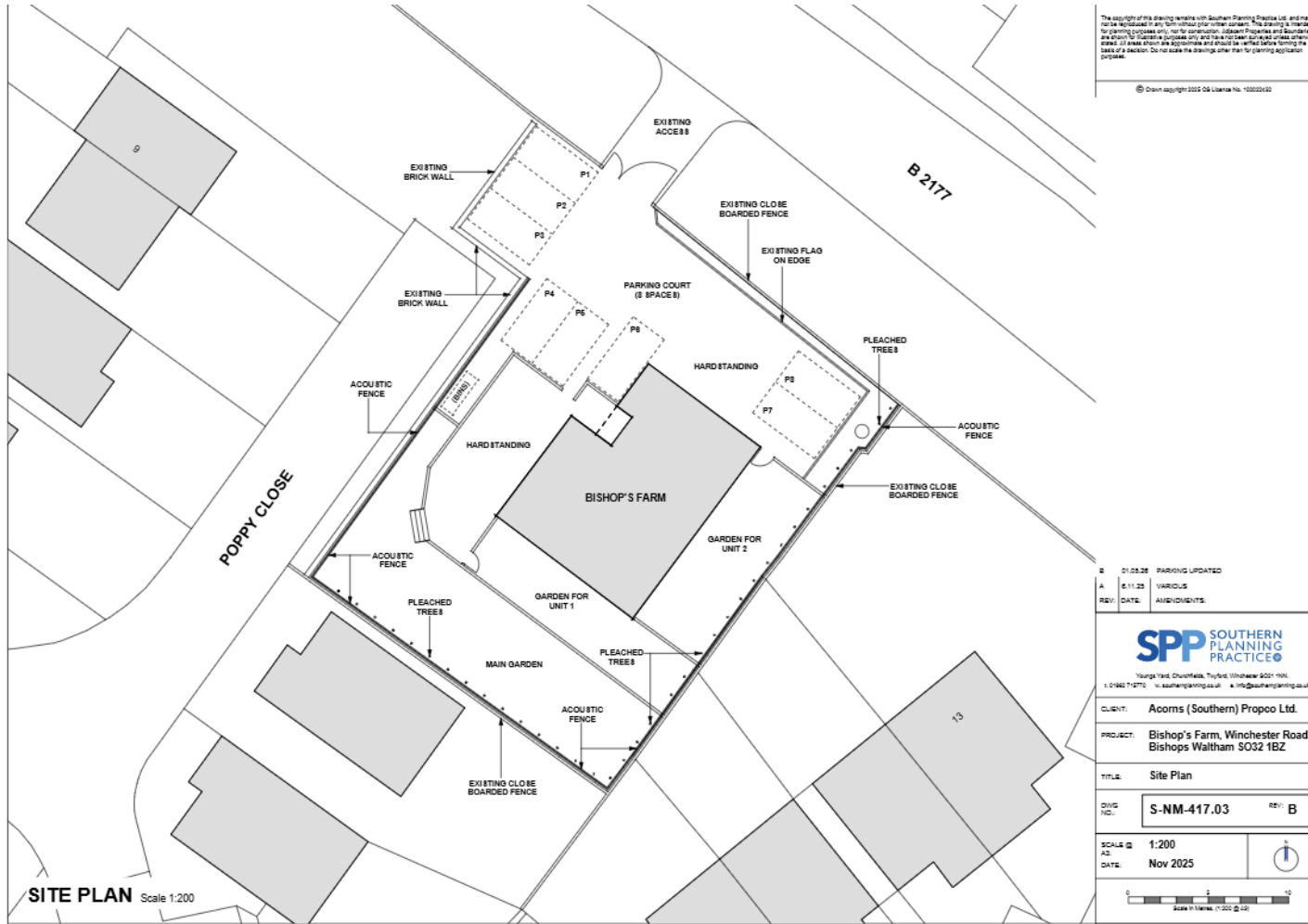


LOCATION PLAN



SITE LAYOUT PLAN

Page 41

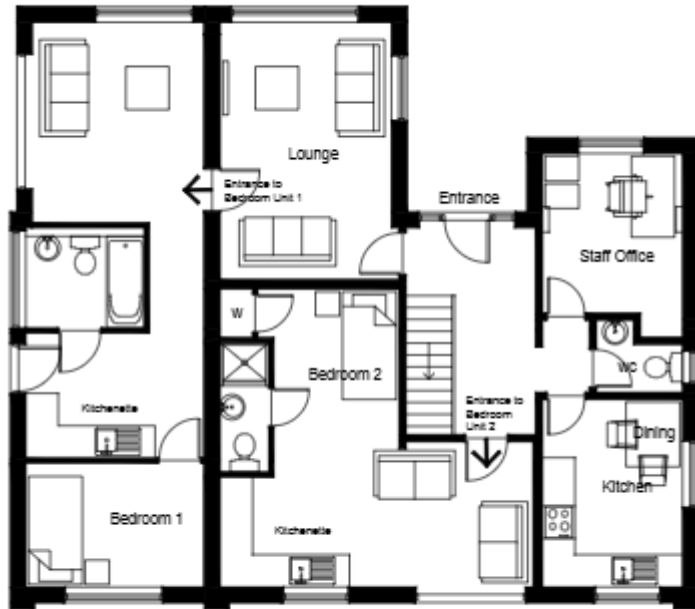


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REV	DATE	AMENDMENTS
B	01.05.25	PARKING UPDATED
A	01.11.25	VARIOUS
REV	DATE	AMENDMENTS
1, Church Lane, Churchfields, Tisbury, Winchester SO32 1HN t: 01463 718770 e: info@southernplanning.co.uk a: info@southernplanning.co.uk		
CLIENT:	Acoms (Southern) Propoo Ltd.	
PROJECT:	Bishop's Farm, Winchester Road, Bishops Waltham SO32 1BZ	
TITLE:	Site Plan	
DWG NO.:	S-NM-417.03	REV: B
SCALE:	1:200	
AS:	Nov 2025	
DATE:		

Internal Layout



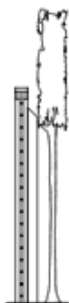
**EXISTING GROUND FLOOR PLAN
(1:100)**



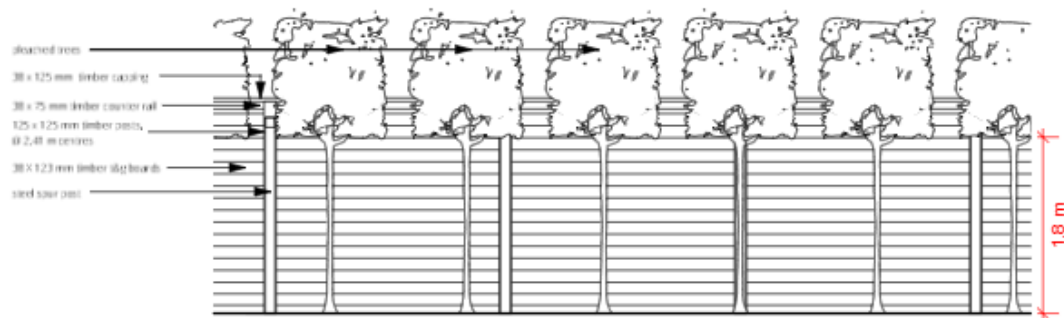
**EXISTING FIRST FLOOR PLAN
(1:100)**



Acoustic Fencing and Pleached Trees

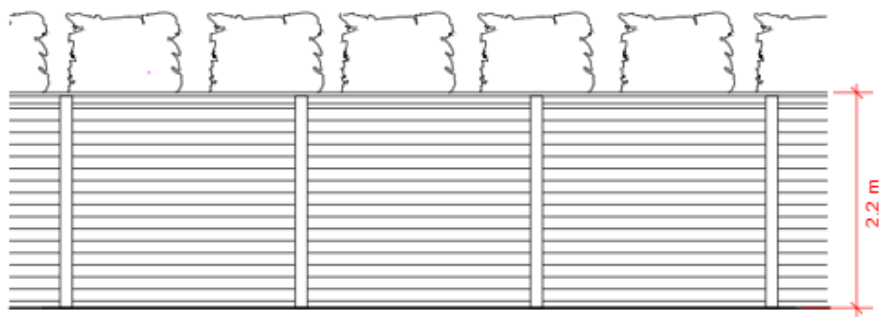


Side Elevation



Typical Elevation of Acoustic Fence and Pleached Trees from inside

Pleached Trees
Species to be confirmed
Planted stem height 1.8m



Typical Elevation from outside

Acoustic Fencing Options from Jacksons Fencing

Option A (as shown)
Acoustic® Reflective Fencing, Height 2.2m
Acoustic barrier with interlocking timber board profile on both sides.
It reduces noise by up to 20dB.
Rating according to BS EN 1793-2:1998
Category - B3
Laboratory sound reduction 28dB
Sound total mass 25kg/m²

Option B
12K Acoustic Enrolence® Fencing, Height 2.2m
Acoustic barrier with interlocking timber board profile on both sides.
It achieves a minimum acoustic specification of 10-12 kg/m².
Same timber construction as Option A, but also:
16G boards 20 x 125 mm
Capping rail 34 x 145 mm
Counter rail 34 x 70 mm



Plan



Entrance of the site – viewed from Winchester Road

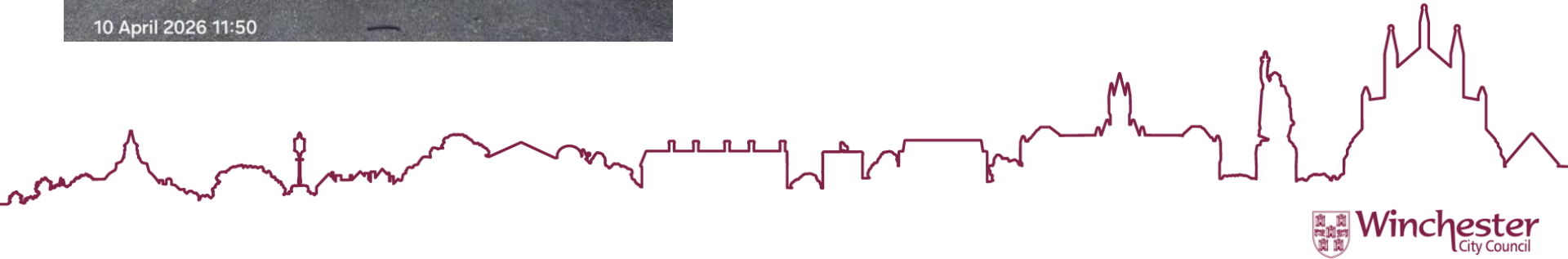
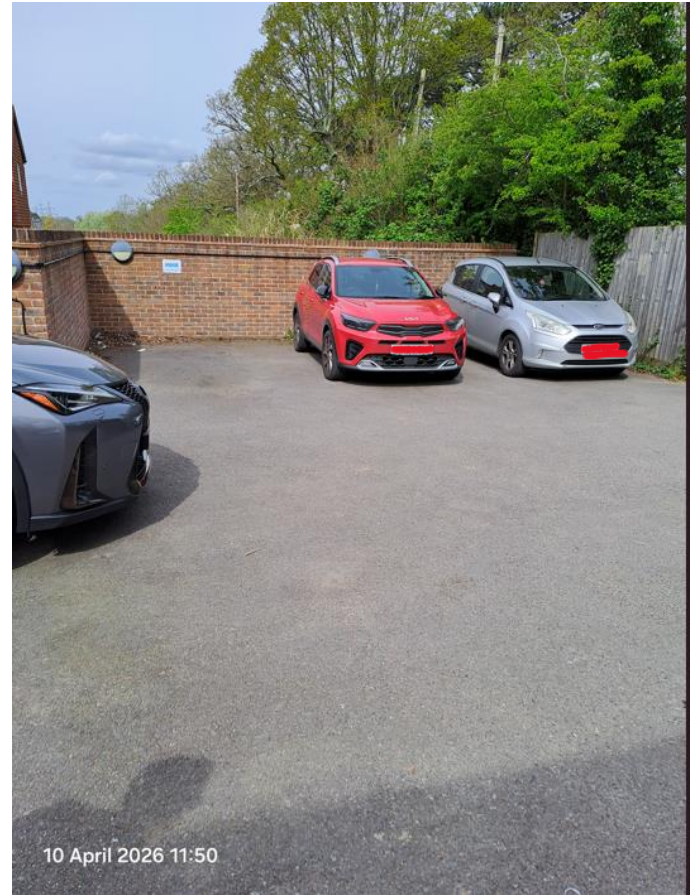


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(image taken from Google Maps)



Car parking area at the front of the site





South-west elevation



South-east elevation





Garden alongside south east boundary with 12 and 13 Albany Court



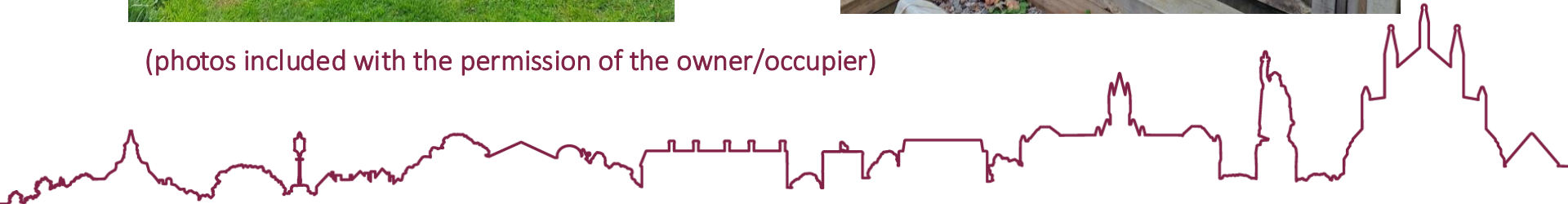
Garden alongside south-west boundary with 10 Poppy Close and 10 Albany Court



View from the garden of no. 13 Albany Court



(photos included with the permission of the owner/occupier)





View from garden of No. 10 Poppy Close
(photos included with the permission of the
owner/occupier)

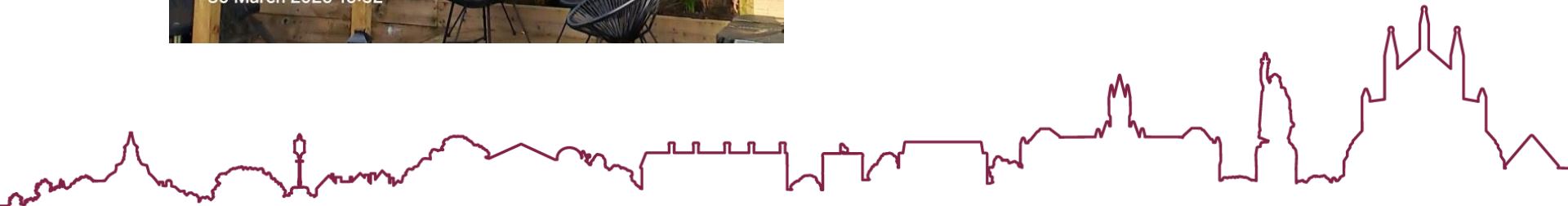
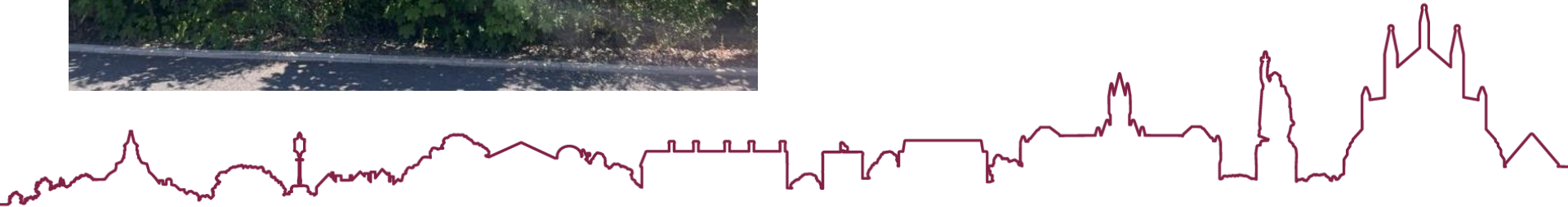


Photo from Poppy Close looking up at Bishops Farm



RECOMMENDATION

Approve subject to conditions

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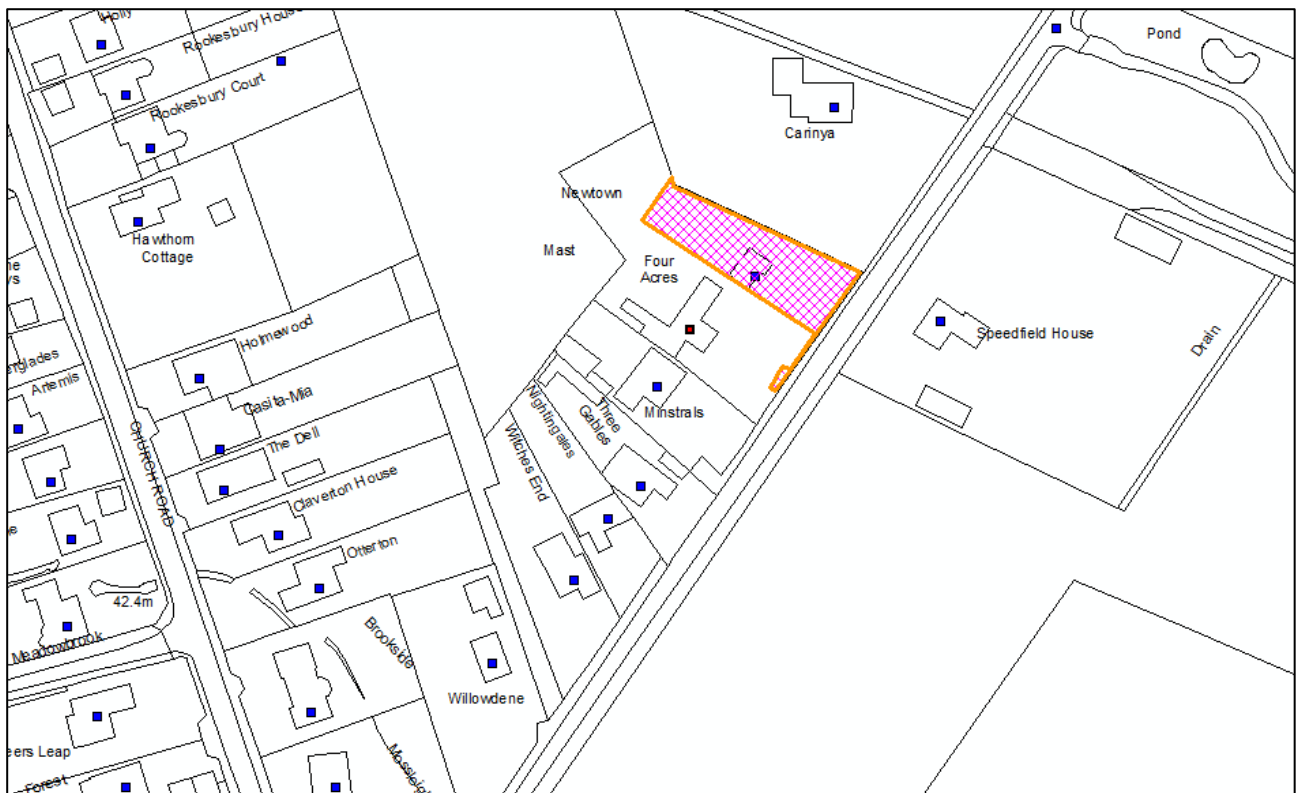
WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 25/00572/FUL
Proposal Description: Erection of 1no. 3-bed dwelling with new access, drainage and landscaping, and provision of new access for existing bungalow (amended plans)
Address: Four Acres Ingoldfield Lane Newtown Fareham Hampshire PO17 6LF
Parish, or Ward if within Winchester City: Soberton Parish Council
Applicants Name: Mr Wayne Johnson
Case Officer: Joe Toole
Date Valid: 19 March 2025
Recommendation: Permit
Pre application Advice Yes

Link to Planning Documents

[Link to page – enter in reference number 25/00572/FUL](#)

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



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Reasons for Recommendation

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The proposed new dwelling is recommended for permission as it is considered to infill a small site within a continuously developed frontage outside the defined settlement boundary of Newtown. The proposal would be of a form compatible with the character of the area, not involve the loss of an important gap between developed areas, and would not have a detrimental impact on neighbouring amenities. The proposal is in accordance with Local Plan Policies SP1, SP2, SP3, CN1, CN4, H3, H4, D1, D7, D8, NE1, NE5, NE6, NE14, NE15, T1, T2, T4.

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 drawings were received on the 31st October 2025 that demonstrated a reduced height and depth to the dwelling, compared to the scale of the original drawings received, and the dwelling's position set back more linear with the adjacent bungalow Four Acres.
- Further amended drawings were received on the 27th May 2026 relating to a new Site Plan and Drainage Layout Plan, removing the drainage along the side with Carinya.

Site Description

Four Acres is a detached bungalow located along the north side of Ingoldfield Lane, and along approximately 200m east of Church Road within Newtown. The area is semi-rural with residential dwellings positioned along the north side of the lane, with open agricultural or grazing land to the rear of the site (within the same ownership of Four Acres), with additional agricultural fields across the road. Four Acres is positioned linear with the adjacent bungalow Minstrals (west) and centrally located with both front and rear gardens. Four Acres has a large side garden (east) that has been cleared of most of its low growth planting and smaller outbuildings prior to the application's submission. The land is fairly level and measures approximately 0.096 hectares. There are tall trees and hedges along the eastern boundary shared with Carinya, a 2-storey detached dwelling. A high close-board fence is positioned along the road, back off the verge in front of the side garden. Part of the site was formerly a petrol station, and works have been carried out to remove the storage tanks located forward of the bungalow in its side garden. There was one access into the site originally.

During the application's process, works had begun to modernise the existing bungalow and the land immediately surrounding the site. The existing access to the bungalow has been formalised for current use. The bungalow has a light rendered finish with a new grey tiled roof. Other dwellings nearby are built of a mix of material finishes (render, hanging tile, brick), and two of the nearby bungalows have had extensions into the roofs.

Proposal

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The proposal is to build a 2-storey, 4-bedroom dwelling within the side garden of Four Acres. The proposal also includes the creation of a new access to the Four Acres bungalow. The new dwelling will be built of red brick with clay plain tiles. Sash windows with bathstone cill, heads, and surround detailing are incorporated within the design. The dwelling is to follow a similar building line to Four Acres, with a new separate access and parking within the front garden, with a side driveway through to the rear garden. The driveway allows a gap of approximately 5m to the side elevation of Four Acres. The proposed site plan for the new dwelling narrows further back into the site. Although the gap from the proposed dwelling to the eastern boundary narrows to 2.4m, the proposed new dwelling is positioned approximately 28m away from the rear elevation of Carinya.

Relevant Planning History

None applicable to the application.

Consultations

Service Lead – Engineering (Drainage) – No objection, subject to condition

Service Lead – Sustainability and Natural Environment (Ecology) – No objection, subject to conditions

Service Lead – Sustainability and Natural Environment (Landscape) – No objection, subject to condition

Service Lead – Sustainability and Natural Environment (Trees) – no objection, subject to conditions

Service Lead – Public Protection (Environmental Health, Contaminated Land) – no objection, subject to condition

Hampshire County Council (Highway Authority) – No objection

Natural England – no objection, subject to Grampian conditions

NatureSpace – No objection subject to conditions and informative

Environment Agency – No objection, subject to condition

Representations:

Soberton Parish Council (initial response):

“Soberton Parish Council (SPC) objects to this Application. Primarily it is contrary to WCC Policy MTRA3. Although this Policy does allow the principle of infilling it clearly states that development 'should be appropriate in scale and design'. The plans show that the proposal is higher than the adjoining properties, as shown on the Proposed Street Scene, Drawing 02. This is clearly out of scale particularly as

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Ingoldfield Lane becomes rural on travelling further north. SPC also has the following additional concerns.

There is a history of problems with foul and surface water drainage and notably this site drains into a field in Lambeth clay and has a sloping gradient to the southwest and neighbouring properties.

It should be noted that historically the site has been used as a petrol station and there is the possibility of contamination due to its previous use, see attached historic photograph. This has not been picked up by the Applicant or WCC in their standard search.

There has been clearance of the Application Site, as outlined in the planning application, as well as the field that was part of the original Four Acres property. This clearance of the whole property site, which had been left fallow for 20 years, raises concerns regarding potential breaches of wildlife legislation, and the loss of wildlife. The Parish Council also has concerns with the work that is ongoing on the site prior to the application being determined by WCC.

If WCC is minded to approve the Application we would request that conditions on these matters are included, namely;

1. Proposals for foul and surface water drainage should be submitted for approval by WCC and must not cause flooding or contamination to neighbouring properties.
2. Suitable ground investigations for pollution should be undertaken and submitted to WCC for agreement and any mitigations should be agreed and approved by WCC.
3. Proposals for replacing the ecological loss around the whole site should be submitted and approved by WCC."

Soberton Parish Council (after notification of amended drawings):

"Soberton Parish Council maintains its objection to this application due to concerns on the amended design of the residential dwelling. SPC would like to see a design that is in keeping with the character of the area. For example, the design could reflect the Victorian villa opposite the application site as an example of a simple design symmetry which lends itself to be developed in a contemporary way. We would encourage the applicant to look at the local housing stock and provide a more sympathetic solution.

SPC also notes that a Preliminary Investigative Soils Report has now been commissioned and expect that WCC will check the findings of this study. Nevertheless, given the history of the site and problems regarding drainage in the area SPC request that the conditions as identified before are applied. These relate to drainage, notably that foul water and surface water will not affect neighbouring properties, and also to ensure that there are no contamination issues during and after construction. Additionally, SPC wishes to see acceptable ecological mitigation for biodiversity loss when the adjoining land was cleared."

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Eight Objecting Representations received from different addresses citing the following material planning reasons (one additional comment received out of the Winchester administrative area):

- Size and scale of proposed dwelling, dwelling's plot size not in-keeping (original and amended drawings)
- Overbearing and overshadowing, and oblique overlooking impacts on neighbouring amenity (original and amended drawings)
- Proposed access along road seems very narrow
- Site plan's access to bungalow not clear; concern to accuracy of site plan in relation to Carinya
- Concern of flooding with surface water management and foul drainage
- Potential inaccuracy of nutrient budget identifying land as urban residential
- Contaminated land concern (former petrol station) and potential impacts to environmental pollution linked to the River Wallington.
- Significant biodiversity loss from recent site clearance
- Concern to use/protection of the land behind the proposal site

There were no Supporting Representations received.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2024)

Section 2. Achieving sustainable development

Section 4. Decision-making

Section 8. Promoting healthy and safe communities

Section 11. Making effective use of land

Section 12. Achieving well-designed places

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

Section 15. Conserving and enhancing the natural environment

National Planning Practice Guidance

- Appropriate assessment
- Biodiversity net gain
- Climate change
- Consultation and pre-decision matters
- Crown development
- Design: process and tools
- Flood risk and coastal change
- Land affected by contamination
- Light pollution
- Natural environment
- Planning obligations
- Renewable and low carbon energy
- Rural housing
- Use of planning conditions

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- Water supply, wastewater and water quality

Winchester Local Plan 2020 – 2040

SP1 – Vision and Objectives

SP2 – Spatial Strategy and Development Principles

SP3 – Development in the Countryside

CN1 - Mitigating and Adapting to Climate Change

CN4 - Water Efficiency Standards in New Developments

H3 – Development within Settlements

H4 – Meeting Housing Needs

D1 – High Quality, Well Designed and Inclusive Places

D7 – Development Standards

D8 – Contaminated Land

NE1 – Protecting and Enhancing Biodiversity and the Natural Environment in the District

NE5 – Biodiversity

NE6 – Flooding, Flood Risk and the Water Environment

NE14 – Rural Character

NE15 – Special Trees, Important Hedgerows and Ancient Woodlands

T1 – Sustainable and Active Transport and Travel

T2 – Parking for New Developments

T4 – Access for New Developments

Planning Considerations

Principle of development

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

To establish the principle of development, the proposal site must comply with the relevant policies in this area. Policy SP2 of the Local Plan 2040 sets the spatial strategy for development across the district. It allows development within defined settlement boundaries in the first instance and allows restricted development in areas outside of the settlements, mainly governed by policies SP3 and H3 of the Local Plan 2040.

The application site is outside of a defined settlement boundary and therefore countryside policies apply. Policy H3 allows for the infilling of a small site within a continuously developed road frontage where it would be of a form compatible with the character of the village and not involve the loss of important gaps between developed areas. The residential curtilage to Four Acres, including its side garden, provides a small gap toward the residential curtilage of the detached dwelling Carinya where infilling of a residential dwelling is considered appropriate.

The principle of development is therefore acceptable.

Assessment under 2017 EIA Regulations.

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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

Ingoldfield Lane begins off of Church Road in Newtown. The triangular land north of the junction is considered semi-rural with its continuous residential development along Church Road and Ingoldfield Lane's northwest side. The dwellings are positioned in a linear form and are a mix of 2-storey houses and bungalows, with a few bungalows extending with rooms in roofs. Beyond the Four Acres site, is a 2-storey detached dwelling (Carinya) in a large plot that results in a break in the pattern of the dwellings' linear positions within the lane. Across from Four Acres is another large 2-storey dwelling and sizeable curtilage (Speedfield). South of Ingoldfield Lane is open agricultural land. Along the lane, there is a mix of hedges and low fencing or post-and-rail fencing. Four Acres has enclosed part of its original curtilage with a close-board fence. The dwellings along the lane are built of a mix of finishing materials (brick, render, hanging tile, etc).

Four Acres has had its former curtilage cleared of planting and smaller outbuildings. As the site was a former petrol station, contamination mitigation works have occurred to remove storage tanks that were previously located near the front of the proposal site. Refurbishment of the bungalow has occurred (including new light render and grey roof tiles) and the plot sub-divided for the potential new dwelling.

The proposed new 2-storey dwelling is positioned in line with Four Acres, to be finished with red multi brick and heritage plain clay tile (with samples of the materials to be controlled by Condition 3). The rooflines will be hipped, similar to nearby dwellings. The hedge and trees along the border with Carinya are to be pruned but maintained, and the site is to have a front boundary hedge planted after the removal of the closed board fence. Although the site is narrower than the adjacent Four Acres curtilage, there are other curtilages within the road of a similar size. The front and rear garden to the proposed dwelling is sufficient for outdoor living space and suitable for the rural surroundings.

The site is in semi-rural surroundings and to ensure that light pollution is minimised, a condition is recommended on external lighting to ensure that any lighting is appropriate and does not harm the street scene and wider environment (condition 16).

Due to the siting, size and design of the proposal it will not have a harmful impact on the wider context of the area to the detriment of its rural character. The proposal therefore complies with policies D1, D7 and NE14 of the Local Plan 2040.

Development affecting the South Downs National Park

The application site is located 0.41 miles from the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2024. The Circular and NPPF confirm that National Parks

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have the highest status of protection, and the NPPF states at paragraph 182 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Due to the 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

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

Policy D1 of the Local Plan 2040 identifies Site Development Principles that must be followed, including that the proposal must not have an unacceptable adverse impact on adjoining land or neighbouring amenities by reasons of overlooking, overshadowing or overbearing, or any other adverse impact to primary amenity spaces. Furthermore, paragraph 135 (f) of the NPPF (2024) requires planning decisions to ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

The new dwelling has been designed to have greater depth than width, due to the tapering of the site. Its dimensions are approximately 9.5m wide, 13.3m in length and 7.4m at ridge height. The site to the Four Acres bungalow will be retained with a small side access toward the application site. There has been a high closed-board fence installed on the shared boundary with Four Acres. There is one first floor window along the southwest (side) elevation of the proposed dwelling, facing towards Four Acres. This serves a landing window. As Four Acres does not have any side-facing windows and the side garden is used for access only, and the fact that the proposed dwelling is located north-east of the site, with the side window not serving a habitable room, the proposed dwelling is not expected to have any further harmful overlooking, overshadowing or overbearing impact on Four Acres.

Carinya is a large 2-storey dwelling located to the northeast of the site. Its rear elevation is approximately 28m from its southern (rear) boundary that it shares with the application site's side boundary. The proposed dwelling has a first-floor window that serves a bathroom. Notwithstanding the considerable distance from the proposed new dwelling and Carinya, to reduce any potential harmful impacts, a condition is suggested to ensure the window is obscure glazed (see condition 10). A further condition is also suggested to remove permitted development rights for any further windows along the northeast (side) elevation facing Carinya (condition 11). Again, due to its separation distance from Carinya to the rear and the mature screening on site, it is not considered to cause harmful overlooking sufficient to warrant a reason for refusal.

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Carinya has a rear terrace within its garden near its rear elevation, and this is considered to be primary outdoor amenity space. The proposed dwelling will be approximately 28m from the rear elevation and its rear terrace. Due to this distance, the proposed dwelling is not expected to have any adversely harmful overbearing or overshadowing impacts to Carinya's primary outdoor amenity space.

The proposed dwelling does not have an adverse impact on the residential amenity of the adjacent properties. Therefore, the proposed development is considered to accord with Policy D1 of the Local Plan 2040.

Sustainable Transport

The proposal includes a new vehicle access from Ingoldfield Lane for Four Acres' use. A new access is also proposed for the new dwelling, although one has been created temporarily. The visibility splays are consistent with other dwellings along the road and HCC Highways has recommended that the access be clear of any hard or soft landscaping features over 600mm in height (which can be controlled by condition 4).

Paragraph 116 of the NPPF (2024) sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. HCC Highways, as a statutory consultee on highway matters, have raised no concerns regarding the traffic generation 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 road safety.

The proposed dwelling and existing dwelling would have three parking spaces each. A cycle store is also provided for the new dwelling, to promote active and sustainable modes of transport. Each dwelling will have sufficient off-road parking as well that meets the WCC Parking Standards. The Highway Authority have no concerns over the development's potential to lead to overspill parking on the local highway. The proposal is therefore considered in compliance with Policies T2 and T4 of the Local Plan 2040.

Sustainability

The Local Plan intends to reduce the district's carbon footprint by imposing carbon policies to apply to all forms of development. A Sustainability Statement was provided with the application to justify how the proposal would help mitigate and adapt to climate change. This section will outline the relevance of the CN policies to the proposed development.

Policy CN1 of the Local Plan seeks mitigation against climate change from a design perspective. The layout and orientation of the proposed dwellinghouse have been designed to maximise opportunities for natural daylight and solar gain whilst minimising risk of overheating. The roof slope has been designed to utilise the accommodation of solar panels. Windows size and glazing ratios have been considered to provide a balance between natural light levels and energy efficiency. Furthermore, the proposed dwelling will utilise low carbon

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technologies such as using an air source heat pump with sustainable responsibly sourced construction materials.

The development promotes sustainable travel choices through the provision of a secure cycle storage building and includes electric vehicle charging infrastructure to serve the proposed dwelling.

Therefore, the proposed development is considered to comply with policy CN1 of the Local Plan by reducing energy demand, incorporating renewable energy generation and promoting sustainable travel.

As to policy CN4 relating to water efficiency standards, the proposed dwelling will be designed to ensure that potable water consumption does not exceed 100 litres per person per day. Water efficiency will be achieved through the installation of low-water-use sanitary fittings and appliances, including dual-flush WCs, low-flow taps, water-efficient showers and water efficient white goods. Flow restrictors and aerated fittings will be incorporated where appropriate to further reduce water consumption without compromising user comfort.

-

Through the above measures, the proposal promotes efficient use of water resources, in accordance with policy CN4 of the Local Plan. A condition (17) has been imposed to ensure these measures will be carried out.

Ecology and Biodiversity

The site had been cleared of grassland, shrubs and trees prior to the application's submission. The land to the rear of the site (outside the red-edge but within the same ownership) had also been partially cleared. As part of the proposal, a preliminary ecological survey had been provided that summarised that there are no Great Crested Newts (GCN) within 1km of the site and given the location of the ponds, the current state of the site is considered negligible for this group due to the absence of foraging and shelter. No other wildlife sites have been recorded within 1km of the site.

However, concerns were raised by the WCC Ecologist and our district licensing partner NatureSpace that there may be an impact upon GCN and that further investigation was required. To address this concern, the applicant has engaged with NatureSpace's district licensing scheme, which is evidenced by a provided certificate NSP992WINC, dated 1st July 2025. A condition will be attached to ensure that the works are in accordance with the licence. Subject to this condition, the works will adequately mitigate any potential impact upon GCN (condition 15).

As the proposal would require Biodiversity Net Gain (BNG), an Ecological Assessment was submitted. To offset the projected biodiversity net loss, 0.53 habitat units are required. The Council's Ecologist confirmed that the calculations for BNG are correct in order to proceed with the standard conditions to secure its implementation (conditions 6 and 7).

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In addition, Section 5.5 of the amended Preliminary Ecological Appraisal provides biodiversity enhancements in the form of an Ibstock bat brick, one Ibstock swift brick, one hedgehog house and one insect block.

Therefore, the proposal would comply with policies NE1 and NE5 of the Local Plan 2040.

Appropriate Assessment.

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

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution of 0.74 Kg/N/year is made. The Authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The Authority's Appropriate Assessment states a package treatment plant would be used for the mitigation package. Further details of the package treatment plant would be required at detailed design stage including drainage matters. These measures would be secured by way of a Grampian condition, complies with this strategy and would result in nitrate neutral development. Natural England have been consulted and have no objection, subject to the imposition of a Grampian condition (condition 9). 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 (2024).

Sustainable Drainage

The application is located within Flood Zone 1 and therefore is considered to be at low risk of flooding via rivers and sea. The site is also subject to very low surface water (pluvial) flood risk. However, the site is in a Source Protection Zone 4 (SPZ4) for a public water supply abstraction. A consultation with the Environment Agency has been undertaken and as a precaution, a condition will be included requiring development to cease if undiscovered contamination is identified during the course of development (condition 14).

A drainage strategy has been submitted with a soakaway to the front of the site and a package treatment plant with drainage field located near the rear of the site. While this arrangement is acceptable in principle, a pre-commencement condition securing details of

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foul and surface water drainage have been recommended by the Authority's drainage engineer (condition 5).

Therefore, subject to the above conditions, the proposal complies with policy NE6 of the Local Plan 2040.

Trees and Landscape

Policy NE15 of the Local Plan 2040 allows development which does not result in the loss or deterioration of ancient woodlands, important hedgerows, special trees, ground flora and the space required to support them in the long term. The application site and surrounding area do not contain any trees.

However, there are trees and hedges along the northeast boundary that should remain protected during construction. This will be controlled by condition 12. In addition, to ensure that the proposed development is appropriate to its semi-rural setting, a hard and soft landscaping plan will be required as part of the decision (condition 4). With these conditions in place, the proposal will comply with policy NE15 of the Local Plan.

Contaminated Land

As previously noted, the site was once a former petrol station and included storage tanks in situ, but have since been removed. With the tank removal (procedure approved by the WCC Environmental Health Officer), some additional contamination mitigation works were required. Its progress and results have been detailed within a Mains Investigation Report and Tank Removal Validation Report (both June 2025) by Soils Limited Ltd. The results have been concluded as acceptable in order to proceed with future groundworks, and the WCC Environmental Health Officer has recommended the standard contaminated land condition (condition 13) to address any further undiscovered findings within the proposed development. The proposal therefore complies with Policy D8 of the Local Plan 2040.

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 development represents an acceptable form of residential infill outside the defined settlement boundary, in accordance with Policies SP2, H3 and H4 of the Local Plan 2040. The proposal would integrate appropriately within the existing linear frontage and would not result in the loss of an important gap. The scale, design and siting of the dwelling are

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compatible with the semi-rural character of Ingoldfield Lane and would not result in harm to the character or appearance of the area.

There would be no adverse impact on the South Downs National Park, due to the distance from the site and intervening features. The proposal would not affect heritage assets, and through appropriate conditions, no unacceptable harm would arise in respect of neighbouring amenity.

The development provides suitable access, visibility, and on-site parking, and Hampshire County Council Highways raises no objection. Ecological impacts have been satisfactorily addressed, including mitigation for GCN, delivery of Biodiversity Net Gain, and biodiversity enhancements. The Appropriate Assessment confirms nitrate neutrality can be secured via a Grampian condition.

Considerations relating to drainage, contaminated land, lighting, and boundary treatment can be appropriately addressed through conditions. There are no trees of significance on the site, and boundary vegetation can be protected and supplemented through landscaping conditions.

Overall, there are no identified material considerations that weigh against the development. The proposal complies with the relevant policies of the Local Plan 2040 and the National Planning Policy Framework (2024). The development is therefore considered acceptable and can be approved, subject to the recommended conditions.

In conclusion, the proposal has been assessed in consideration of the following planning policies: SP1, SP2, SP3, CN1, CN4, H3, H4, D1, D7, D8, NE1, NE5, NE6, NE14, NE15, T1, T2, T4.

Recommendation

Permit subject to the following conditions

Conditions/Informatives

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

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 2.

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

- Location Plan - S2
- Proposed Floor Plans, Elevations and Street Scene – 02 REV 04
- Proposed Site Plan – received 27 May 2026
- Drainage Layout Plan – ACC-26008-01 REV A – 27 May 2026

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- Nature Space Impact Plan
- Tree Protection Plan - 27 May 2026
- Tree Constraints Plan
- Arboricultural Method Statement
- BNG Metric
- Amended Nutrient Budget
- Main Investigation Report
- Drainage Strategy
- Preliminary Contamination Land Investigation Report
- Contamination Land Data
- PTP Performance Certificate
- Preliminary Ecological Appraisal Survey
- PEA Amended
- Planning Design and Access Statement
- Foul Water Drainage Field Sizing
- Foul Drainage Assessment Form
- European Site Checklist
- Contextual Analysis
- Topographical Land Survey
- HRA/AA
- Soils LTD Preliminary Investigated Report parts 1-4
- Soils LTD – Main Investigative Report
- Soils LTD – Tank Removal Validation Report

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 above foundation level shall take place until a material schedule (and samples, if requested) demonstrating 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 must be carried out in accordance with the approved details.

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

4. A detailed scheme for hard and soft landscaping, including details on any proposed hard surfacing and planting, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify the type and extent of any hard surfacing and the species, density, size and positioning of any planting. The soft landscaping 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 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.

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

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

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

6. In making an application to discharge the biodiversity gain condition, prior to the commencement of development on site, 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.

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 the National Planning Policy Framework (2024)

7. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) has been submitted to and approved in writing by the local planning authority. This shall be prepared in accordance with the approved Biodiversity Gain Plan under Condition 6. The HMMP shall include the following details: (a) the roles and responsibilities of the people or organisation(s) delivering the HMMP; (b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan; (c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; The approved habitat creation and enhancement works shall be implemented in full within six months of the date of their written approval. Notice in writing shall be given to the Local Planning Authority once the habitat creation and enhancement works as set out in the HMMP have been completed

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 National Planning Policy Framework (2024).

8. Prior to the first occupation of the dwelling hereby permitted, details demonstrating compliance with the energy efficiency and water efficiency requirements of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

(a) SAP "As Built" calculations and supporting evidence confirming that the dwelling has been constructed in accordance with the approved energy performance requirements; and

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(b) A water efficiency calculation confirming that the dwelling achieves the required internal potable water consumption standard.

The dwelling shall thereafter be occupied and retained in accordance with the approved details.

Reason: To ensure that the development achieves a high standard of sustainability, mitigates and adapts to climate change, conserves water resources and accords with Strategic Policy CN1 (Mitigating and Adapting to Climate Change) and all other relevant climate change and water efficiency policies of the Winchester District Local Plan.

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

a) A water efficiency calculation which demonstrates that no more than 100 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority.

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policies NE1, CN2 and CN4 of the Local Plan.

10. The first-floor window on the northeastern elevation (facing towards Carinya) serving a bathroom must use obscure glazing to Pilkington Privacy Level 4, non-opening below 1.7 metres finished floor level and be thereafter retained in that condition.

Reason: To preserve residential amenity by preventing a potential overlooking impact into the private amenity space of neighbouring properties.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no first-floor windows other than those expressly authorised by this permission shall, at any time, be constructed in the northeast elevation.

Reason: To preserve residential amenities by preventing a potential overlooking impact into the private amenity space of neighbouring properties.

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12. Protective measures, including, e.g.: fencing, ground protection, supervision, working procedures or special engineering solutions shall be carried out in strict accordance with the Bernie Harverson arboricultural consultant arboricultural impact appraisal and method statement, ref: 1400.bjh.Mar25 and Tree Protection Plan, ref: 1400 BJH 03/04, May 2026

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 NE9 of the adopted Winchester District Local Plan 2020 – 2040.

13. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

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

14. The drainage ditch in front of the property shall be retained and maintained in an open and functional condition at all times, except where culverting is required for access purposes and agreed in writing by the LPA. The ditch and any culvert shall be kept free from obstruction and maintained to ensure the continued conveyance of water for the lifetime of the development

Reason: To limit future flood risk.

15 No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR134, or a 'Further Licence') and with the proposals detailed on plan "Four Acres: Impact plan for Great Crested Newt District Licensing (Version 1)", dated 1st July 2025.

Reason: In order to ensure that adverse impacts on Great Crested Newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR134, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

16 The development shall not be occupied until full details of any additional lighting for the site, including positioning on the building, level of luminance, direction of lighting and details of any motion sensors or timers have been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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Reason: To ensure that bats and other nocturnal species are not adversely impacted by the lighting and to be in keeping with the rural character of the area.

17 Prior to the first occupation of the development, details of water efficiency measures to be implemented within the building shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to occupation and thereafter retained.

The submitted details shall demonstrate how the development will minimise potable water consumption and shall include (but not be limited to):

- Installation of dual flush WCs
- Low flow taps
- Water efficient showers and white goods

Reason: To ensure the efficient use of water resources, reduce potable water consumption, and accord with Policy CN4 of the Winchester Local Plan and the principles of sustainable development.

Informatives

1.

In accordance with paragraph 39 of the NPPF (2024), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC: - offer a pre-application advice service and, - update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

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

2.

The Local Planning Authority has taken account of the following development plan policies and proposals: SP1, SP2, SP3, H3, H4, D1, D7, D8, NE1, NE5, NE6, NE14, NE15, T1, T2, T4.

3.

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

4.

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It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

5.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR134, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow

6.

IMPORTANT - Biodiversity Gain Condition
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)

Appendix 1 – Parish Response – Original consultation (with photos)

PUBLIC RESPONSE

From: Cheryl Gosling (Soberton Parish Council)

Sent: 17 April 2025 17:46

To: Planning Mailbox Account

Subject: RE: Planning Consultation Response 25/00809/HOU

Good afternoon

Please see the response from Soberton Parish Council on the recent application:

Case No: 25/00572/FUL

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Case No: 25/00572/FUL

Proposal: Erection of 1no. 3-bed dwelling with new access, drainage and landscaping and provision of new access for existing bungalow.

Location: Four Acres Ingoldfield Lane Newtown Fareham Hampshire PO17 6LF

Comments:

Soberton Parish Council (SPC) objects to this Application. Primarily it is contrary to WCC Policy MTRA3. Although this Policy does allow the principle of infilling it clearly states that development 'should be appropriate in scale and design'. The plans show that the proposal is higher than the adjoining properties, as shown on the Proposed Street Scene, Drawing 02. This is clearly out of scale particularly as Ingoldfield Lane becomes rural on travelling further north. SPC also has the following additional concerns.

There is a history of problems with foul and surface water drainage and notably this site drains into a field in Lambeth clay and has a sloping gradient to the southwest and neighbouring properties.

It should be noted that historically the site has been used as a petrol station and there is the possibility of contamination due to its previous use, see attached historic photograph. This has not been picked up by the Applicant or WCC in their standard search.

There has been clearance of the Application Site, as outlined in the planning application, as well as the field that was part of the original Four Acres property. This clearance of the whole property site, which had been left fallow for 20 years, raises concerns regarding potential breaches of wildlife legislation, and the loss of wildlife. The Parish Council also has concerns with the work that is ongoing on the site prior to the application being determined by WCC.

If WCC is minded to approve the Application we would request that conditions on these matters are included, namely;

1. Proposals for foul and surface water drainage should be submitted for approval by WCC and must not cause flooding or contamination to neighbouring properties.
2. Suitable ground investigations for pollution should be undertaken and submitted to WCC for agreement and any mitigations should be agreed and approved by WCC.
3. Proposals for replacing the ecological loss around the whole site should be submitted and approved by WCC.

Thank you for consulting the Parish Council on this application.

Kind regards
Cheryl Gosling
Parish Clerk
Soberton Parish Council

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Photo above – land to the rear of Four Acres prior to clearance.



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Photos above – site to the rear of proposal site that has been cleared

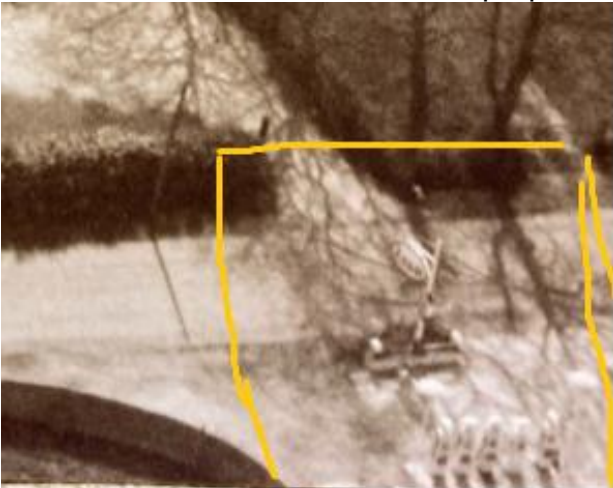


Photo above (viewing toward the south) displays former petrol station within proposal site along the front.

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Appendix 2 – Parish Response – Amended drawings consultation

PUBLIC RESPONSE

From: Cheryl Gosling (Soberton Parish Council)

Sent: 27 May 2025

To: Planning Mailbox Account

Subject: RE: Planning Consultation Response 25/00809/HOU

Case No: 25/00572/FUL

Proposal: Erection of 1no. 3-bed dwelling with new access, drainage and landscaping, and provision of new access for existing bungalow (amended plans)

Location: Four Acres Ingoldfield Lane Newtown Fareham Hampshire PO17 6LF

Comments: Objection

Soberton Parish Council maintains its objection to this application due to concerns on the amended design of the residential dwelling. SPC would like to see a design that is in keeping with the character of the area. For example, the design could reflect the Victorian villa opposite the application site as an example of a simple design symmetry which lends itself to be developed in a contemporary way. We would encourage the applicant to look at the local housing stock and provide a more sympathetic solution.

SPC also notes that a Preliminary Investigative Soils Report has now been commissioned and expect that WCC will check the findings of this study. Nevertheless, given the history of the site and problems regarding drainage in the area SPC request that the conditions as identified before are applied. These relate to drainage, notably that foul water and surface water will not affect neighbouring properties, and also to ensure that there are no contamination issues during and after construction. Additionally, SPC wishes to see acceptable ecological mitigation for biodiversity loss when the adjoining land was cleared.

Thank you for consulting the Parish Council on this application.

Kind regards

Cheryl Gosling

Parish Clerk

Soberton Parish Council

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Four Acres, Ingoldfield Lane, Newtown, Fareham, Hampshire, PO17 6LF

Erection of 1no. 4-bed dwelling with new access, drainage and landscaping,
and provision of new access for existing bungalow (Amended Description and
Amended Plans)

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Application Number: 25/00572/FUL



Location Plan



Aerial Photograph



Previous Elevation Plans (Superseded)



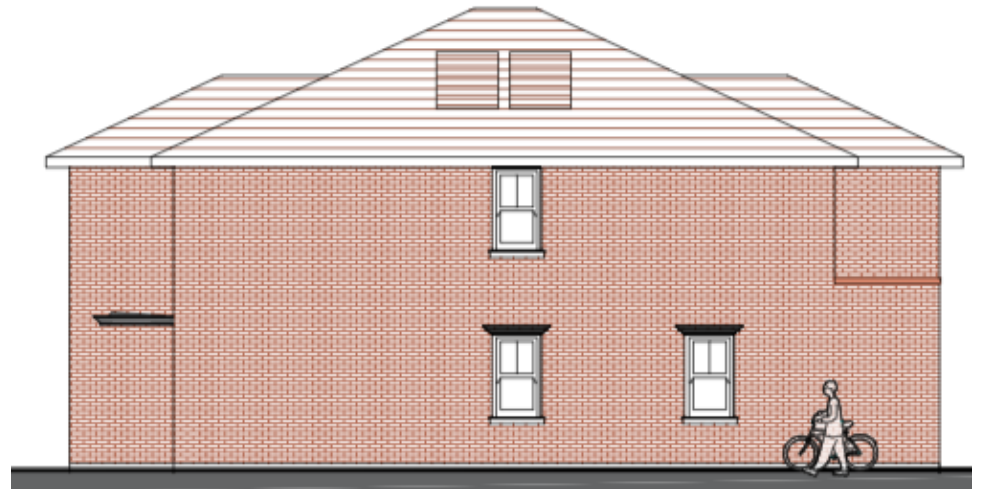
Front



Side (southwest)



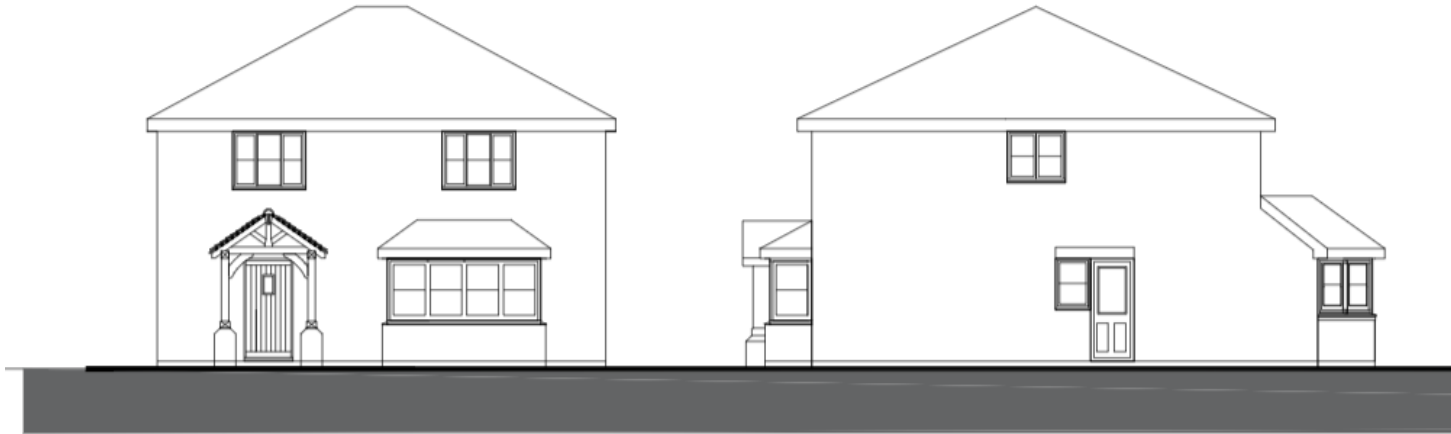
Rear



Side (northeast)

Amended Elevation Plans

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South East Elevation

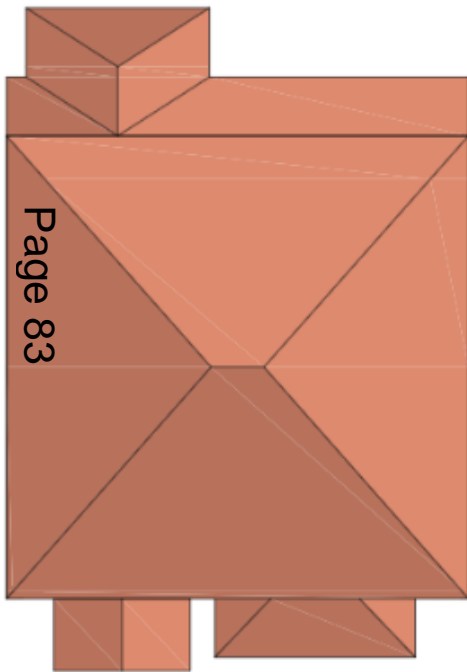
East Elevation



West Elevation

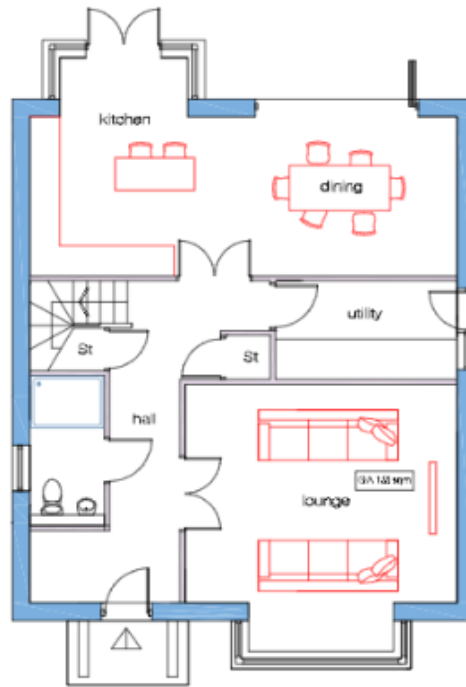
North East Elevation

Proposed Floor Plans

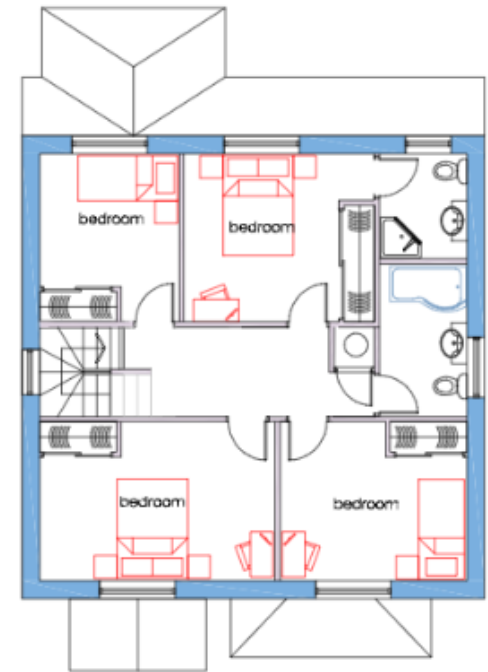


Roof Plan

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Ground Floor Plan



First Floor Plan

Proposed Street Scene



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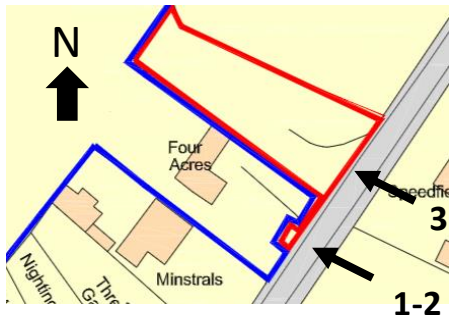
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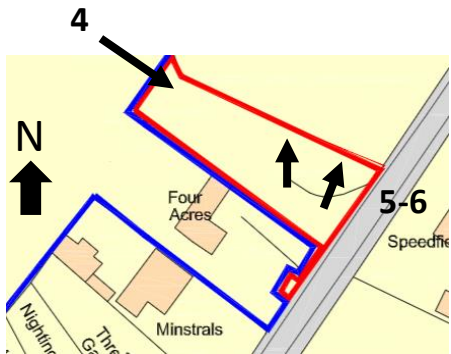
- 1- Four Acres with its existing access
- 2- Existing driveway to be closed off
- 3- Proposed dwelling site





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4- View of proposal site toward road
5-6- Views toward side boundary





7- View toward Four Acres
8- View toward road with
Speedfield House in background



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Minstrals



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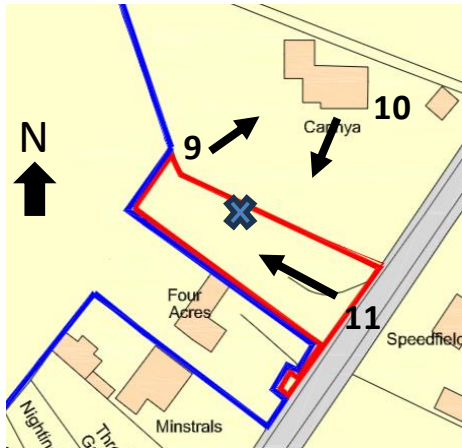


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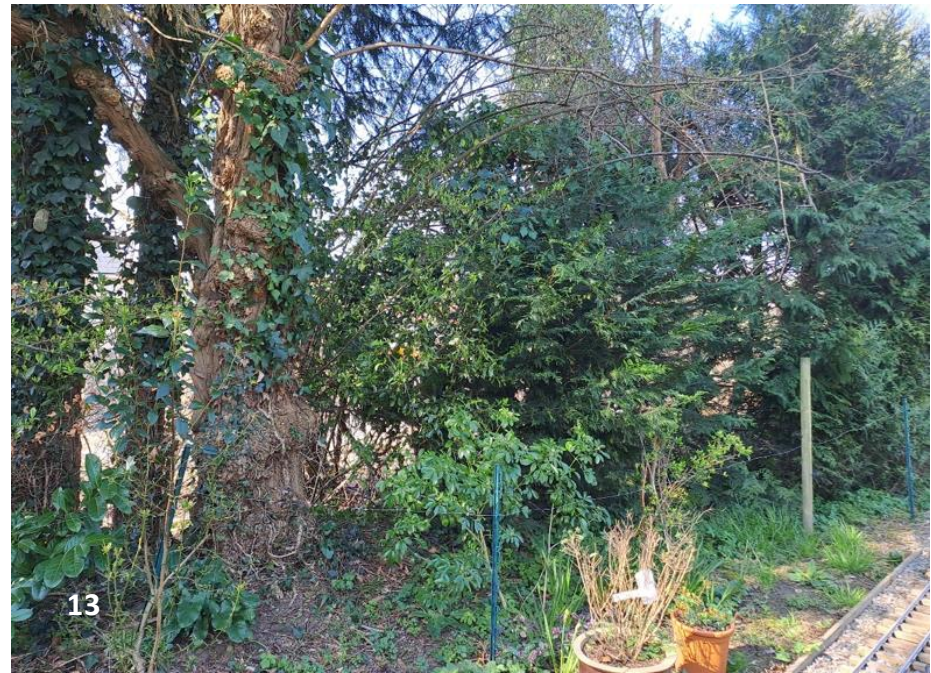
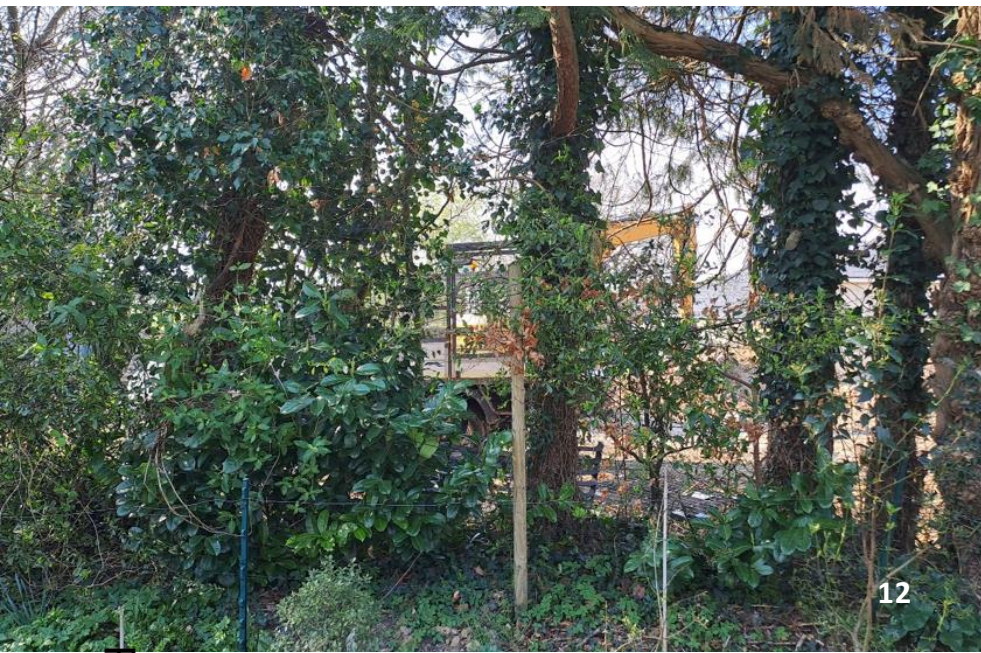
Neighbour Photos from April 2025

9-10- Views of Carinya's rear garden

11- Telephone pole from site for perspective (marked with x below)

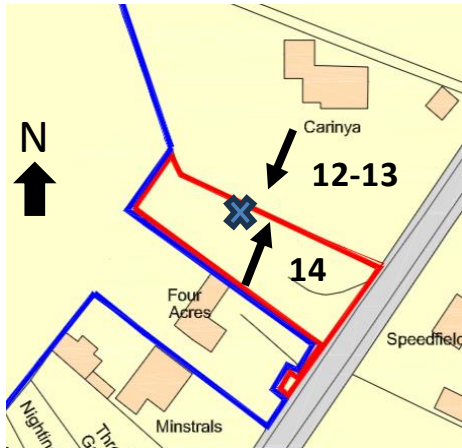


10



12-13- Carinya's side of the planted boundary

14- Proposal site boundary to be pruned, protected and maintained

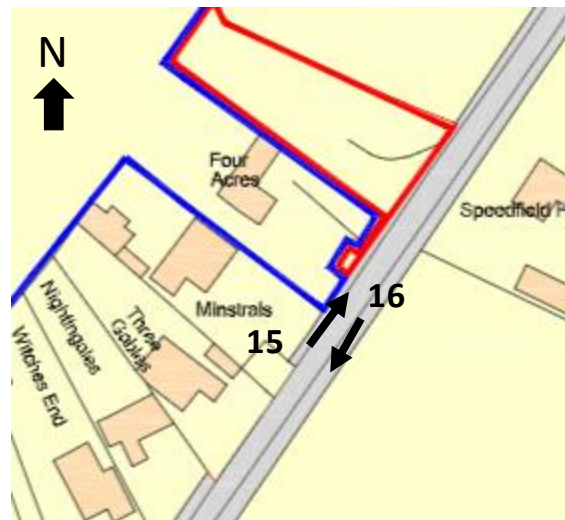




15-16 Views from
Ingoldfield Lane

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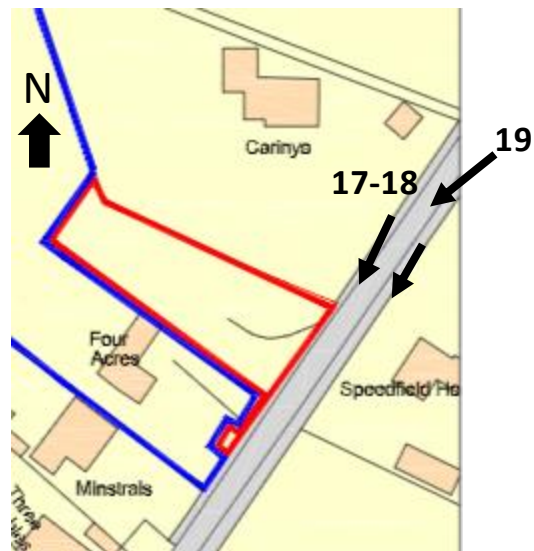
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17-19 Views from Ingoldfield Lane





RECOMMENDATION - APPROVE

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

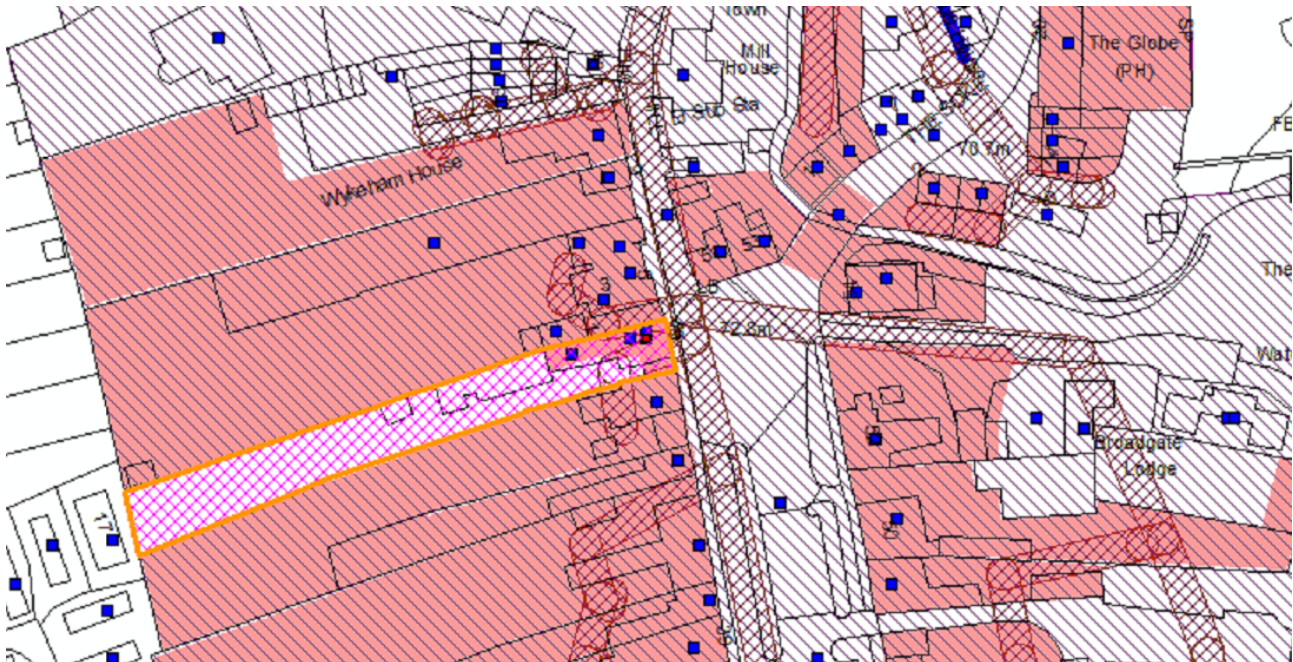
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WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 23/01275/FUL
Proposal Description: Erection of new house to rear of 49 Broad Street.
Address: 49 Broad Street Alresford Hampshire SO24 9AS
Parish, or Ward if within Winchester City: New Alresford Town Council
Applicants Name: Mr P Radford
Case Officer: Cameron Finch
Date Valid: 22 June 2023
Recommendation: Application Permitted
Pre Application Advice: No

Link to Planning Documents

[Link to page – enter in reference number 23/01275/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 demonstrates a positive contribution to the character of the surrounding area and is not harmful to the setting and significance of nearby listed buildings and the conservation area.

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

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The application is a resubmission of 19/01525/FUL which was refused by the Planning Committee 24.06.2020. This was due to harm to a nearby listed building and the conservation area. This application was dismissed at appeal due to harm caused to the Solent Special Protection Areas, however the Inspector disregarded other reasons for refusal.

The dwelling has been moved further West into the site to the rear of the existing outbuildings to move it away from the root protection area of nearby trees.

Amendments to Plans Negotiated

Plans and elevations were submitted 02 October 2024 showing the dimensions of the proposed dwelling.

Site Description

The site is a long, narrow plot situated on Broad Street, within the centre of New Alresford. It is a former burgage plot, as are the majority of properties along Broad Street, reflecting the medieval layout of the plots within the town. The plot is bounded to the north, west and south by mature shrubbery and trees. To the front of the plot, facing onto Broad Street, is the main existing dwelling, which is a Grade II listed building. Behind the listed building are a number of outbuildings, including an annex which is currently rented out, that were constructed at different periods in the 20th century. None of the outbuildings are considered to be curtilage-listed. Access into the site from the street is from a former carriage entrance which forms part of the listed building.

Proposal

The proposal seeks to demolish some of the existing outbuildings to the rear and construct a one-bedroom single storey dwelling. It sits adjacent to the Northern boundary with 1 Mill Hill. The proposed dwelling is to have a flat roof with parapet. The North wall is proposed to be constructed of red-multi coloured bricks and the remaining 3 elevations will be rendered in a white colour with brick coping. Windows and doors are to be timber framed. Immediately to the east of the proposed dwelling, will be a parking area for one vehicle and along the southern boundary; access to the site is gained through the opening along Broad Street and no alterations are proposed.

Relevant Planning History

19/01525/FUL - Erection of new house to rear of 49 Broad Street, Alresford. (WITHIN THE CURTILAGE OF A LISTED BUILDING). (AMENDED PLANS).

REFUSED – 23.06.2020 by committee.

Reasons for Refusal: The proposed new dwelling and associated hard landscaping is considered to be contrary to policy DM29 of Winchester District Local Plan Part 2, as well as Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. in that it causes an unacceptable level of harm to the setting of the listed building, namely 49 Broad Street, and would lead to the unsympathetic subdivision of its grounds.

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The proposal represents overdevelopment of this historic burgage plot and does not provide adequate parking or manoeuvring and therefore fails to respond sympathetically to the historic settlement pattern of Alresford and is not considered to conserve or enhance the character of the conservation area, as stated by policy DM27 of LPP2 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeal DSIMISSED 19.03.2021.

Reasons:

“As such, notwithstanding Natural England’s agreement to the Council’s approach, and the fact that the Council has adopted this approach in respect of other residential developments, I find that, as matters stand, there are no detailed mitigation proposals in place as part of this appeal to directly address the likely significant effects upon the European designated sites, and the full details and implications of any such proposals remain unknown.

Accordingly, I conclude that the appeal scheme, in the absence of any satisfactory mitigation and the necessary mechanism for achieving it, would not accord with Policy CP16 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013), which, amongst other things, supports development which has regard to protecting sites of International, European and national importance from inappropriate development, and supporting habitats that are important to maintain the integrity of European sites.”

Please note the below consideration of the Inspector in this appeal:

“I conclude that the appeal scheme would preserve the character and appearance of the NACA and the setting of the listed building at 49 Broad Street. It would not, therefore, harm their significance as heritage assets. As such, the appeal scheme would accord with LLP2 Policies DM27 and DM29, in so much as these policies seek to ensure that new development conserves or enhances the character, appearance or special architectural or historic interest of conservation areas, and does not cause an unacceptable level of harm to the setting of heritage assets or lead to the unsympathetic subdivision of their grounds.”

“I conclude that it has not been satisfactorily demonstrated that the appeal scheme would conflict with the objectives of LPP2 Policy DM18, in so far as the policy seeks to ensure that development makes appropriate provision for parking and access, including allowing access to, and movement within, the site in a safe and effective manner, having regard to the amenities of occupiers of the site.”

Consultations

Service Lead – Built Environment (Archaeology)

- No archaeological concerns

Service Lead – Built Environment (Historic Environment) –

- No objection subject to conditions.

In this case, the construction of a new dwelling a new dwelling to the rear of a listed building in a Burgage plot is acceptable because of the existing context of additional separate dwellings in flats to the rear of the house.

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The proposed new dwelling is positioned as a continuation of the linear built form to the rear of the listed building, and in this sense it would integrate successfully with the pattern of development on this site, and in burgage plots in this part of the conservation area.

Service Lead – Sustainability and Natural Environment (Trees) –

- No objection subject to tree protection conditions.

Hampshire County Council (Highway Authority) –

- No clear information has been provided on the parking provision within the site, including any information on turning, but given the constraints of the access and internal layout the Highway Authority does not consider that parking within the site is likely to be used.

However, given that the application is for a one-bedroomed dwelling that is unlikely to generate significant traffic or parking impacts or materially affect the safety or operation of Broad Street, the Highway Authority raises no objection to the application.

Natural England -

- Objection – Not possible to conclude that harm would not be caused to the integrity of the River Itchen SAC with regards to phosphorus discharge.
No objection with regards to nitrogen discharge.

In response to this, the applicant has secured nitrate and phosphate mitigation through a credit scheme provided by the Council's New Homes Team.

Representations:

New Alresford Town Council

NATC object to this application because the proposed plan represents overdevelopment of the site and will destroy the area as a burgage plot which is an essential feature of Alresford in the conservation zone.

Access to the site from Broad Street is very narrow. The archway was not designed for cars and the plans show inadequate parking and manoeuvring space. Section G4 of the New Alresford design Statement states that there is regular congestion in Broad Street caused by residents trying to park near their home. Parking in this area of the town is very limited.

Very importantly, there would be impacts of additional nutrients on habitats sites- these should be strongly considered in relation to nitrogen and phosphorus mitigation.

Finally, the trees illustrated on the plan have not been correctly reported. Please could the tree officer look at how this would affect the new building.

12 Objecting Representations received from 8 different addresses citing the following material planning reasons:

- The site is a former Burgage plot and the construction of a dwelling in this plot is harmful to the historic interest of the site.
- Proposed car parking is not adequate.

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- Concerns regarding the placement of trees on protection plan (addressed by amended scheme).
- Potential noise impact on neighbours.
- Harmful to the character of the surrounding area.

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

- Concerns regarding trees have been noted from previous applications and the dwelling will have less impact in new location.
- Access is clear and would benefit from on site parking.
- The dwelling is modest and not harmful to the surrounding area.

Relevant Development Plan Documents and Policies

Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The current adopted development plans comprise:

Winchester Local Plan 2020-2040 (adopted March 2026)

Strategic Policy SP2 – Spatial Strategy and Development Principles

Strategic Policy CN1 – Mitigating and Adapting to Climate Change

CN2 – Energy Hierarchy

CN3 - Energy Efficiency Standards to Reduce Carbon Emissions

CN4 – Water Efficiency Standards in New Developments

Strategic Policy D1 – High Quality, Well-Designed and Inclusive Places

T2 – Parking for New Developments

Strategic Policy NE1 - Protecting and Enhancing Biodiversity and the Natural Environment in the District

NE5 – Biodiversity

NE6 – Flooding, Flood Risk and the Water Environment

NE16 - Nutrient Neutrality Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent and The River Itchen

Strategic Policy HE1 – Historic Environment

HE2 – All Heritage Assets (both designated and non-designated)

HE3 – Designated Heritage Assets

Strategic Policy HE5 – Protecting the Significance of Heritage Assets (designated and non-designated heritage assets) and Mitigating Unavoidable Harm

HE8 – Applications Affecting Listed Buildings

HE10 - Development in Conservation Areas

Strategic Policy H1- Housing Provision

Strategic Policy H2 – Spatial Housing Distribution

H3 – Development Within Settlements

Other Relevant Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2024)

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2. Achieving sustainable development
4. Decision-making
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

- Appropriate assessment
- Design: process and tools
- Determining a planning application
- Historic environment
- Natural environment
- Tree Preservation Orders and trees in conservation areas

Supplementary Planning Document

High Quality Places (2015)

Other relevant documents

National Design Guide 2019

New Alresford Design Statement 2008

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

Nature Emergency Declaration

Position Statement on Nitrate Neutral Development (2020)

Biodiversity Action Plan (2021)

Statement of Community Involvement (updated 2020)

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.

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.

Local Plan 2020-2040 Policy SP2 sets out the overarching Development Strategy for the district. Development proposals will be expected to make efficient use of land and prioritise the use of previously developed land/buildings in accessible locations, in accordance with the development strategies set out in policies H1 and H2 of the Local Plan 2020-2040.

The application site is located within the settlement boundary of New Alresford and is noted as a Larger Rural Settlement. Policy H3 notes development that accords with the Development Plan will be permitted and New Alresford falls within this list as having a

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defined settlement boundary. The proposal is therefore considered acceptable in principle, subject to compliance with the relevant policies of the Winchester District Local Plan 2020–2040.

Impact on character and appearance of area

The Western side of Broad Street is defined by the strong building line which No.49 sits within. The site is further defined by ancillary buildings and mature trees which sit to the rear of the listed building. The proposed dwelling is sited to the rear of existing buildings which completely screen views of it from Broad Street to the East. This ensures there is not visible competition between the existing listed buildings and the proposed dwelling. The scale and massing of the proposed dwelling is modest and does not overdevelop the plot to the rear of the existing buildings.

The proposal site is situated part way down an existing narrow former Burgage Plot with the original dwelling, which is listed, sitting at the front of the site. Access to the rear is gained by a former carriage entrance which faces onto Broad Street. A number of ancillary buildings sit to the rear of the listed building. The new dwelling would sit adjacent to these buildings, continuing the pattern of development to the rear of the listed building. It is also subservient by way of its height and roof design, ensuring there is no competition between built form and the overdevelopment of the site. The rear garden, which sits on a higher ground level, remains the same.

The proposed design is simple with a flat roof and associated parapets. In terms of materials, the Northern elevation is finished with red brick whilst other elevations are finished with a white render with brick capping. The proposed design is not typical of the surrounding area, however it is low key and does ensure that the dwelling settles into its surroundings. The material choices are considered to fit within the context of the surrounding area. Condition 3 is recommended to ensure a high quality finish. It is not considered that the design would be harmful to the character of the surrounding area.

The proposed dwelling is modestly sized and complies with the pattern of built development within the surrounding area. Whilst it presents a more contemporary character, it is not widely visible and does not harm the character of the surrounding area. The proposal is compliant with Strategic Policy D1 of the Local Plan 2040.

Development affecting the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the 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 application site is located 1.44km from the South Downs National Park. Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

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

Historic Environment

The development is within the curtilage of a Grade II listed building which forms part of the setting of a number of designated heritage assets including nearby listed buildings and the New Alresford Conservation Area. The following legislation and policies are considered in the assessment and determination of this planning application.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight and importance must be given to this duty.

The building also lies within the New Alresford Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in accordance with Section 72(1) of the 1990 Act.)

The preservation of the special architectural/historic interest of the listed building and the preservation or enhancement of the character or appearance of the conservation area its setting are covered by Policies HE1, HE2, HE3, HE5, HE8 and HE10 of the Local Plan and NPPF (2024) Section 16.

The listed building at 49 Broad Street is of significance as a good example of a modest, urban vernacular house dating from the 18th Century, with a commercial shop at the ground floor level. It makes a positive contribution to the surrounding conservation area. This significance is formed from its traditional material palette, its historic domestic and commercial use, as well as a way to reinforce the legibility of the medieval settlement pattern, and the historic building line along Broad Street.

The proposal site is situated part way down an existing Burgage Plot with the original dwelling, which is listed, sitting at the front of the site. The long, narrow plot reinforces an appreciation of the building's historical development as the successor to a medieval pattern of development in the conservation area. Access to the rear is gained by a former carriage entrance which faces onto Broad Street. This helps to outline the understanding of the conservation area's development, character and appearance.

To the rear of the listed building are a series of single storey extensions and ancillary buildings, including a detached two-storey annex, which were constructed throughout the 20th Century. Map evidence from the 1940s show another two storey building had been present to the rear of the listed building, however this was demolished in the 1970's.

Considering the existing context of detached buildings of residential use already present on this site and historic precedent for built form in the rear of this Burgage plot, the construction of a separated modestly sized dwelling is considered acceptable. The

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development continues the linear built form to the rear of the listed building and can be integrated with the pattern of development which exists on this site. It is noted similar development has taken place within Burgage plots in the wider surrounding area. The design of the building is atypical for this part of the conservation area, however it is modestly sized and appears subservient to the listed building. It would not be widely visible from within the conservation area. It is considered that the proposed development maintains the character and appearance of the listed building and the conservation area.

On either side of the plot are two listed buildings – 47 Broad Street which is Grade II listed and dates from the early 18thC, 1 Mill Hill which is also Grade II listed and 3, 5 and 7 Mill Hill which all form part of a single medieval building and are Grade II* listed.

It is not considered that there would be any substantially harmful impact upon the settings of the listed buildings, given the location of the proposed building within the plot, away from the immediate setting of those buildings. The profile of the proposed building is low and the design is simple, therefore does not compete with the special qualities of the other listed buildings.

Mature trees make a significant contribution to the character and appearance of the conservation area. The amended scheme moves the proposed dwelling further away from the protection areas of trees on site and a tree protection scheme has been proposed. One minor Cotoneaster tree is removed, however this is not considered to impact upon the character of the conservation area.

Overall, whilst the development is sited within a Burgage plot, it follows the established pattern of development and is subservient to the listed building. The design of the development is atypical, but it ensures compliance with the factors set out above. It is considered that the development maintains the setting and character of the host and neighbouring listed buildings and the conservation area. The proposals comply with the requirements of Section 16 paragraph 212 of the NPPF (2024), Policies HE1, HE2, HE3, HE5, HE8 and HE10 of the Local Plan 2040 and the historic environment section of the Planning Practice Guidance.

Neighbouring amenity

With regards to neighbour amenity, the main adjoining properties are 47 Broad Street to the south-east, 1 Mill Hill and 3-7 Mill Hill to the north-west and 17 Valdean Park to the south-west.

The proposed dwelling sits approximately 60 metres from the boundary with 17 Valdean Park at a lower ground level. The distance is considered sufficient to ensure harm is not caused by overlooking, overbearing or overshadowing impacts.

The existing access to the new dwellings sits alongside the boundary with 47 Broad Street. This could result in more frequent vehicle use close to the boundary with this dwelling. The proposal only provides one extra bedroom and it is unlikely it would result in a frequency of vehicle movements which would result in a noise nuisance. It should be noted the access is pre-existing. The roof of the dwelling would be visible from this neighbouring property, however it is not of a size or scale that harm is caused by overbearing, overlooking or overshadowing impacts.

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The roof of the dwelling would be visible from the neighbouring properties at Mill Hill. As with other neighbouring properties, it is not of a size or scale that harm would be caused by overbearing, overlooking and overshadowing impacts. 1 minor tree is to be removed to accommodate the development, however it is not considered that this impacts upon these neighbouring dwellings.

There is no sustained harm to neighbouring properties and the development is compliant with Policy D1 of the Local Plan 2040.

Sustainable Transport

The existing access to the Southern side of 49 Broad Street is utilised and it is indicated that there is space to park a vehicle on the Southern side of the dwelling, although this has not been indicated on the plans. A one bedroom dwelling is unlikely to generate a significant uplift in traffic to and from the site and there is capacity on the highway network to accommodate one additional vehicle that this dwelling would likely generate. It is not considered that the parking and access at this dwelling would materially affect the safe usage of Broad Street and this is supported by the Highway Authority.

Adopted policies outline that sustainable travel should be given priority in the consideration of planning applications. The site is within 5 minutes walk of a regular bus service connecting New Alresford to Winchester. The site is also in close proximity to local amenities including shops and cafes. The site is within sustainable location and therefore does not require an allocated parking space on site. Whilst not indicated on the plans, there could be opportunities to provide space for cycle parking.

The conclusions of the inspector in the appeal for 19/01525/FUL are noted and are a material consideration. The only change from this application is the position of the dwelling within the site. The situation regarding the access and parking remains the same.

The proposed development is in a sustainable location and would not impact the safe use of the highway. The proposal is compliant with Policy T2 of the Local Plan 2040.

Ecology and Biodiversity

A bat and ecological survey has been provided to support this application. This has been to ensure that there would be no harm to protected species which frequent the mature trees on the site. The survey has confirmed that bats were not present and a stage II survey was not required. It is not considered there would be harm to protected species as a result of the application.

The planning application was submitted in 2023 prior to the introduction of Biodiversity Net Gain (BNG). As such this is not a requirement of this application. Policy NE5 outlines that new development should provide an uplift in onsite biodiversity. The proposal is a minor development within an existing residential curtilage, a condition (condition 8) to secure a biodiversity enhancement plan is considered sufficient to provide an uplift in this case.

The proposed development is considered to comply with Strategic Policy NE1 and Policy NE5 of the Local Plan 2040.

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Trees

There are a number of mature trees on site which make a positive contribution to the character of the conservation area. The proposed development has been shifted away from trees towards the Western end of the garden to lessen its impact upon them. One Cotoneaster tree is to be removed to accommodate the dwelling, however this is minor and would not cause harm. The proposed dwelling sits on previously developed land and it is considered unlikely that there would be harm to trees in this position as they would not have had room to expand. Tree protection measures are proposed during construction to ensure no damage is done to protected trees. This is secured through condition 9.

The proposed development does not harm protected trees and is compliant with Policy NE15 of the Local Plan 2040.

Appropriate Assessment.

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution of 1.14 Kg/N/year and 0.04 Kg/TP/year is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard. The previous appeal (19/01525/FUL) dismissed the use of the Grampian condition, however this was in the absence of mitigation. Nutrient mitigation has been reserved through the Council's New Home Team which allows this proposal to be recommended for permission.

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 NPPF.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Local Plan policy CN1 expects new development to be designed in a way that adapts to climate change in line with policies CN2, CN3, CN4, CN5, CN6, CN7 and CN8 where relevant.

This development was originally brought forward in 2023, prior to the adoption of the Local Plan 2040. As such it has not been designed with these policies in mind. It is accepted that it is not reasonable or realistic to retrospectively apply these Carbon Neutrality policies to applications such as this one which were substantially formulated when policy CP11 was in place, and that the sustainability requirements of this development will have to be addressed now by Building Regulations – which in fact largely exceed the previous Code
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for Sustainable Homes levels. In these circumstances it is considered acceptable to permit this development despite non-compliance with newly adopted CN policies.

Sustainable Drainage

The site is within Flood Zone 1. Drainage details are secured through a suitably worded condition to ensure that there is no harm caused to the site and neighbours by surface water runoff (Condition 7).

Equality

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

Planning Balance and Conclusion

The proposed development is within the settlement boundary of New Alresford and the principle of residential development is therefore in accordance with Policies SP2 and H1-H3 of the Local Plan.

The proposed development is for a small new dwelling within an existing residential curtilage. Whilst sited within a former Burgage plot, the development does follow the established pattern of development and is subservient to the existing listed building. The dwelling is not widely visible from the conservation area and unacceptable harm is not caused to trees or biodiversity. Whilst the design of the dwelling is atypical for the area it is not considered to be harmful to the character, appearance and significance of the host listed building, other nearby listed buildings and the surrounding conservation area. There are no harmful impacts on residential amenity.

The proposals comply with the requirements of Section 16 paragraph 212 of the NPPF (2024), Policies SP2, D1, T2, NE1, NE5, NE15, NE16, HE1, HE2, HE3, HE5, HE8, HE10, H1, H2 and H3 of the Local Plan 2040 and the historic environment section of the Planning Practice Guidance and the application is recommended for approval.

Recommendation

PERMIT subject to the following conditions:

Conditions

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

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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 constructed in accordance with the following plans:

Location Plan received 23 June 2023

Proposed Floor and Site Plan with Dimensions received 02 October 2024

Proposed Elevations with Dimensions received 02 October 2024

Proposed Floor Plan received 23 June 2023 drawing no. D0436 104 REV B

Section and Foundations received 23 June 2023 drawing no. D0436 106 REV B

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

3. No development shall commence above damp course proofing until details of the materials to be used in the construction of the hereby permitted new dwelling have been submitted to and approved by the Local Planning Authority in writing. The submitted details should include samples, including on-site sample panels as applicable, along with details of brick bonding and mortar / render colour and texture. The development shall then proceed in strict accordance with the approved schedule.

Reason: To ensure the preservation or enhancement of the character or appearance of the conservation area, in accordance with Policies CP20 and DM27 of the Local Plan.

4. No development shall commence on-site until drawn sections and elevations of the windows, doors and rooflights (at a scale of 1:5) and building's rooflines (at a scale of 1:20), have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding fabric. The development shall then proceed in accordance with the approved schedule.

Reason: To ensure the preservation or enhancement of the character or appearance of the conservation area.

5. No development shall commence on-site until full details of hard surfacing and boundary treatments associated with the hereby approved new dwellings, has been submitted to and approved in writing by the Local Planning Authority. This should include samples and 1:50 site plans to demonstrate surfacing, and 1:50 elevations of new boundary treatments. The development shall then proceed in accordance with the approved schedule.

Reason: To ensure the preservation or enhancement of the character or appearance of the conservation area.

6 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

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Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy NE16 of the Local Plan 2040.

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 details shall include infiltration rates for surface water soakaways.

The approved details shall be fully implemented before occupation of the development hereby permitted.

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

8 A Biodiversity Enhancement Plan shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This shall include details and locations of any enhancement provisions (such as bird or bat boxes or native species rich planting). The biodiversity enhancement provisions shall be sited prior to the development coming into its intended use and retained thereafter.

Reason: To maintain and protect biodiversity in compliance with Policy NE5 of the Local Plan 2040.

9 Protective measures, including fencing and ground protection, shall be installed in accordance with the Arboricultural Impact Appraisal and Method Statement reference HBD 2316IAMS R1 written by Helen Brown of Treescapes and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

10 Inspection of fencing and ground protection measures.

The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with HBD 2316IAMS R1. Telephone 07980 732122.

Limit of Arboricultural work

No Arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Appraisal and Method Statement HBD 2316IAMS R1.

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

Case No: 23/01275/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

11 Arboricultural Supervision

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

Pre-commencement meeting.

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

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

12 All approved new external rainwater goods and soil pipes on the visible elevations shall be of cast metal, painted black unless previously otherwise approved.

Reason: To ensure that the detailing and finish maintains the architectural character and appearance of the setting of listed buildings and the conservation area.

13 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 development permitted by Classes A, B, C and D of Part 1; of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is proportionate to the site in order to protect the amenities of the locality and to maintain a good quality environment.

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

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

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.

Case No: 23/01275/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
Local Plan 2020 – 2040: SP2, CN1, CN2, CN3, D1, D7, HE1, HE2, HE3, HE5, HE8, HE10, NE1, NE5, NE6, NE16 T2, H1, H2, H3
Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
NPPF Section 16
High Quality Places SPD
3. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.
4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
5. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible. For further advice, please refer to the Construction Code of Practice
<https://www.considerateconstructors.com/resources/the-code-of-considerate-practice/>
6. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub-contractors working on site and furnish them with a copy of the consent and approved drawings.

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7. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:
 - The application was submitted prior to the adoption of Biodiversity Net Gain Legislation.
8. 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.

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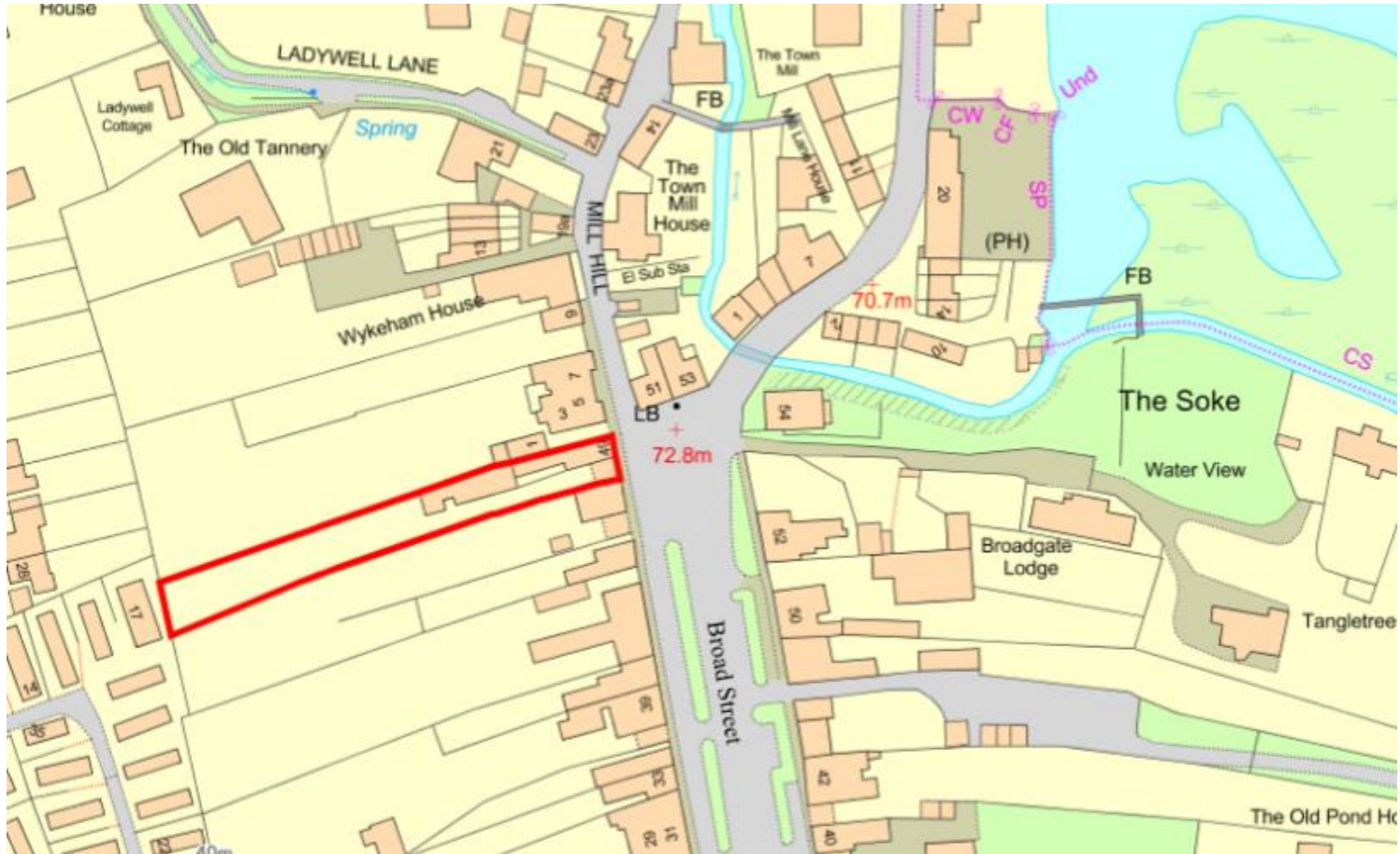
23/01275/FUL– 49 Broad Street, Alresford, Hampshire, SO24 9AS

Erection of new house to rear of 49 Broad Street.

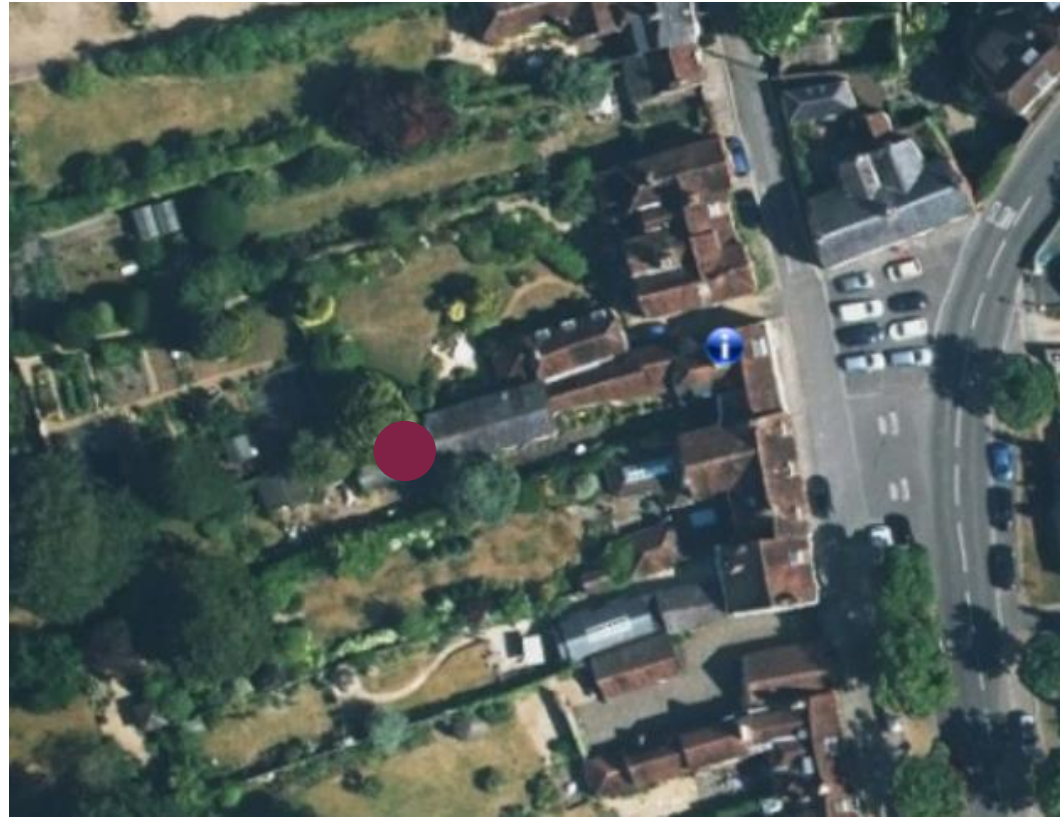
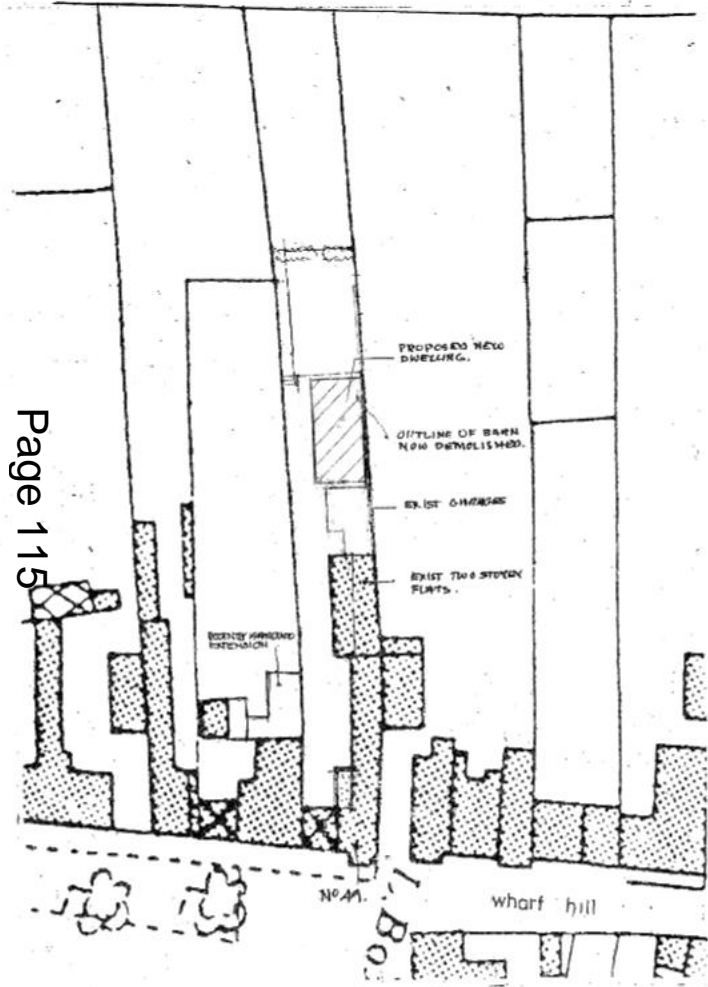


LOCATION PLAN

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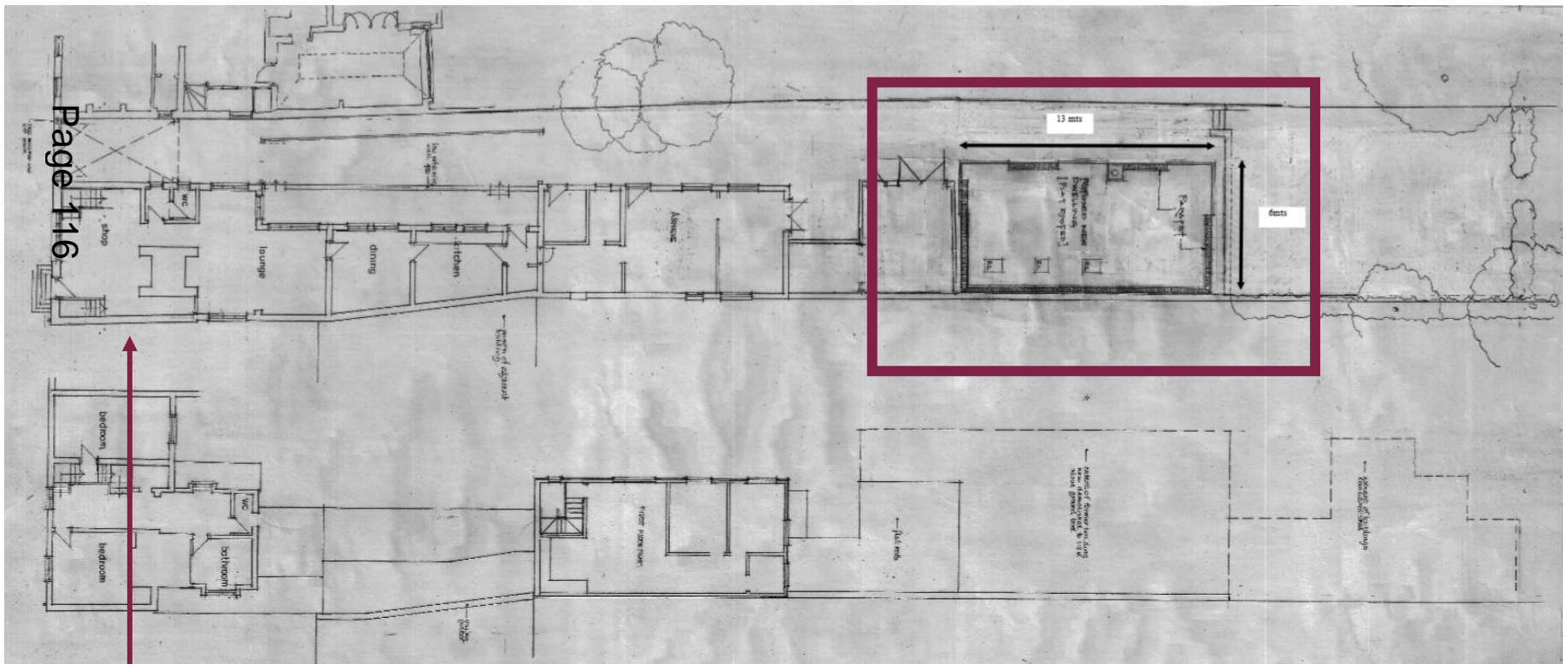


AERIAL PHOTOGRAPH



PROPOSED SITE PLAN

PROPOSED



Page 116

LISTED BUILDING

PROPOSED ELEVATIONS

for precise
refer to Lo

Page 118

SOUTH ELEVATION

existing retaining wall

LINE OF EXISTING BUILDING BEYOND.

13.7mts

WEST ELEVATION

4.2 mts

EAST ELEVATION

7.1mts

STREET VIEW

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ACCESS

SITE IMAGES – REAR GARDEN



Page 120

LOOKING EAST TOWARDS LISTED BUILDING AND OUTBUILDINGS

SITE IMAGE – REAR GARDEN

Page 121



SITE IMAGES



SITE IMAGES - ACCESS



CONCLUSION

Recommendation: PERMIT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reasons for Recommendation

The development is recommended for permission as it is considered that the proposed works preserve the significance of the Listed Building and comply with the policies of the adopted Development Plan.

The application is reported to Committee due to the letter of objection to an application submitted by the Council.

Site Description

1 Bridge Street is a Grade II listed, three storey building dating to the 18th Century. It is situated adjacent to the City Bridge, a scheduled monument, and the River Itchen at the eastern outskirts of the city centre. It is also situated in the Winchester Conservation Area. The city Mill, a Grade II* listed building, is attached to the rear (North). The building has been used as a restaurant but is undergoing alterations to be used as a dental surgery. This has included internal conversions as well as the repainting of the external signage and door and window frames. A door sits sub street level on the Western elevation, adjacent to the river bank.

Proposal

The proposal seeks to install a demountable flood barrier within the existing doorway on the Western elevation at basement level. This would negate the requirement for sandbags which are currently in place. Slim metal side channels are fitted either side of the door to the existing brickwork. Aluminium panels are then slotted in to the front of the door. No alterations to the size of the doorway are proposed, nor is any fabric removed. The fixings are reversible.

Relevant Planning History

Application Ref.:	Proposal	Decision & Date
84/00060/OLD	Replacement ground floor windows and door.	Granted 02/05/1984
88/00042/OLD	Shop front illuminated hanging sign and painted signs; extractor flue, internal alterations including new spiral staircases.	Granted 19/09/1988
89/00049/OLD	Partial demolition. Internal alterations and refurbishment.	Granted 06/10/1989
06/00361/LIS	Internal refitting work to counters; new timber flooring; glazed screen to staircase; partition door and	Granted 05/04/2006

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	screen; redecoration	
16/01963/LIS	Retrospective application for the installation of signage comprising of - 1 set of halo illuminated fascia text and for the painting of the shop facade in F&B Down Pipe 26, painting of the door, window frames and render in Dulux White. And 1 proposed externally illuminated projection sign (Listed Building Consent).	Granted 14/10/2016
23/02569/LIS	Painting of the window frames, door ,wall, stallriser and lower shopfront. Installation of signage comprising of:- 1 set of halo illuminated fascia text to replace existing 1 non illuminated sign written logo to front elevation 1 externally illuminated high level roundel to replace existing on side elevation.	Granted 01/02/2024
25/01460/LIS	Works to facilitate change from restaurant to dental surgery.	Granted 24/09/2025
26/00530/LIS	Change of signage to the front and side elevations. Repainting of render on Southern elevation.	Granted 05/05/2026
26/00531/AVC	Proposed wooden painted fascia signage, and circular sign, for Dental Practice, with hand painted lettering	Granted 05/05/2026

Consultations

Service Lead – Built Environment (Historic Environment) –

- No objection subject to a condition ensuring any repairs are carried out using traditional workmanship.

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The proposed flood barrier would change the appearance of this doorway, and when in use would be noticeable in views of 1 Bridge Street, and the City Mill from the City Bridge. However, given the immediate proximity of the River Itchen to the listed building, this visual impact is balanced by the benefits to the fabric of the listed building, arising from the way in which they would assist in keeping this building dry.

The proposals are modest and could be readily removed in future; impacts on the fabric of the door and frame would be minimal.

Overall, the proposals are acceptable. A precautionary condition is recommended to ensure any repairs required as a result of the works would be carried out in a suitable manner.

Representations:

City of Winchester Trust: Objects

An unsightly barrier inserted in a sensitive heritage site. Added screening with suitable materials or at the very least the frame and panels need to be painted black.

Relevant Development Plan Documents and Policies

Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The current adopted development plans comprise:

Winchester Local Plan 2020-2040 (adopted March 2026)

Strategic Policy HE1 – Historic Environment

HE2 – All Heritage Assets (both designated & non-designated)

HE3 – Designated Heritage Assets

Strategic Policy HE5 – Protecting the Significance of Heritage Assets (designated and non-designated heritage Assets) and Mitigating Unavoidable Harm

HE8 – Applications Affecting Listed Buildings

Other Relevant Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2024)

4. Decision-making

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

16. Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

- Flood risk and coastal change
- Historic environment

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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.

Principle of development

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

In terms of this listed building application, the key issues are the preservation of the special architectural/historic interest of the listed building and its setting (S.16 P(LBCA) Act 1990; Policies HE1, HE2, HE3, HE5 and HE8 of the Local Plan 2040; NPPF (2024) Section 16.

The proposals are considered to accord with these policies and legislation and are therefore acceptable in principle. The detailed assessment of the impact of the development on the listed building and its setting is set out below.

Historic Environment

The development is within the curtilage of a Grade II listed building which forms part of the setting of a number of designated heritage assets including nearby listed buildings, the Winchester Conservation Area and a scheduled monument. The following legislation and policies are considered in the assessment and determination of this planning application.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant listed building consent for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight and importance must be given to this duty.

The building also lies within the Winchester Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in accordance with Section 72(1) of the 1990 Act.)

The preservation of the special architectural/historic interest of the listed building and the preservation or enhancement of the character or appearance of the conservation area its setting are covered by Policies HE1, HE2, HE3, HE5, HE8 and HE10 of the Local Plan and NPPF (2024) Section 16.

WINCHESTER CITY COUNCIL
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The proposed development would install a removable flood defence barrier within a doorway on the Western elevation of the Grade II listed building. The proposed barrier would be visible in views of the building from city bridge to the South West and the access to the City Mill to the West. The proposed flood barrier would result in a visible change in appearance of the doorway when installed which does have a visual impact on the appearance of the listed building.

Given the immediate proximity of the listed building to the River Itchen and the potential of flood damage during times of high rainfall and water levels, the visual impact of the barrier is balanced with the benefits to the fabric of the listed building. The proposed barrier would act in helping to keep the building dry by limiting damage by flooding. This is considered to be in the interest of the long term vitality of the building. Historically, the basement of the building has been subject to serious flooding. The installation of the barrier is not highly intrusive to the historic fabric, it does not require any alterations to the either the door of the walls around it. The barrier can be readily removed if damaged or when it comes to the end of its life. Condition 3 is recommended to ensure that any repairs required because of this are finished with traditional methods and craftsmanship.

The installation of the barrier would result in a low level of less than substantial harm to the setting of the listed building. This would be outweighed by the public benefit of protecting the fabric of the listed building from flood and water damage, ensuring its long term optimal viable use. This approach is supported by Policy HE3.

The proposed barrier is visible within the setting of the Grade II* listed building, The City Mill. It is not considered that the proposed barrier would directly detract from the setting of this listed building with the less than substantial harm outweighed by the benefit of protecting the neighbouring listed building.

The proposed barrier is visible from within the conservation area, however the positioning below the road level means that it would not appear highly prominent. The presence of the barrier is visible within the views of the building and the mill within the conservation area, however the benefit of the flood barrier is considered to outweigh the low level less than substantial harm caused.

The proposed development does not harm the nearby scheduled monument.

It is considered that the proposal results in low level less than substantial harm to the setting of the listed building and the character of the conservation area, however this is outweighed by the public benefits of protecting the listed building from flood and water damage. The proposals comply with the requirements of Section 16 paragraph 212 of the NPPF (2024), Policies HE1, HE2, HE3, HE5, HE8 and HE10 of the Local Plan 2040 and the historic environment section of the Planning Practice Guidance.

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

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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 key consideration is the impact of the proposed development on the setting and significance of the listed building and on the character and appearance of the conservation area. The installation of the proposed barrier would have less than substantial harm on the setting of the listed building and the character of the conservation area. The barrier would protect the listed building from flood and water damage ensuring its optimal viable use. The barrier is not intrusive and repairs to any damage by removing the barrier can be controlled by suitably worded condition. On balance, it is considered that the public benefits of the development outweigh the less than substantial harm caused and the application is acceptable. The proposals comply with the requirements of Section 16 paragraph 212 of the NPPF (2024), Policies HE1, HE2, HE3, HE5, HE8 and HE10 of the Local Plan 2040 and the historic environment section of the Planning Practice Guidance.

Recommendation

Permit subject to the following conditions:

Conditions

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

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

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

Location Plan received 24 April 2026

Block Plan received 24 April 2026

Flood Barrier Details (Product Specification) received 24 April 2026

Heritage Statement received 24 April 2026

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

3. All works of repair to the listed building necessitated by the works hereby approved shall be carried out using materials, finishes and methods of workmanship to match adjacent fabric in all respects.

Reason: To ensure preservation of the significance of the listed building, in accordance with Section 16 of the National Planning Policy Framework 2024, Policies HE1, HE2, HE3, HE5 (Protecting Significance), and HE8 of the Local Plan 2040.

Informatives:

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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 application was acceptable as submitted and no modification or further assistance was required

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

Local Plan 2020 – 2040: , HE1, HE2, HE3, HE5, HE8, HE10

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NPPF Section 16

High Quality Places SPD

3. This permission is granted for the following reasons:

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

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
5. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible. For further advice, please refer to the Construction Code of Practice
<https://www.considerateconstructors.com/resources/the-code-of-considerate-practice/>
6. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the

Case No: 26/00868/LIS

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Consent to the attention of any contractors or sub-contractors working on site and furnish them with a copy of the consent and approved drawings.

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

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26/00868/LIS– 1 Bridge Street, Winchester, Hampshire, SO23 9BH

Removal of the existing sandbags and the installation of a discreet, demountable flood barrier system to the existing external doorway.

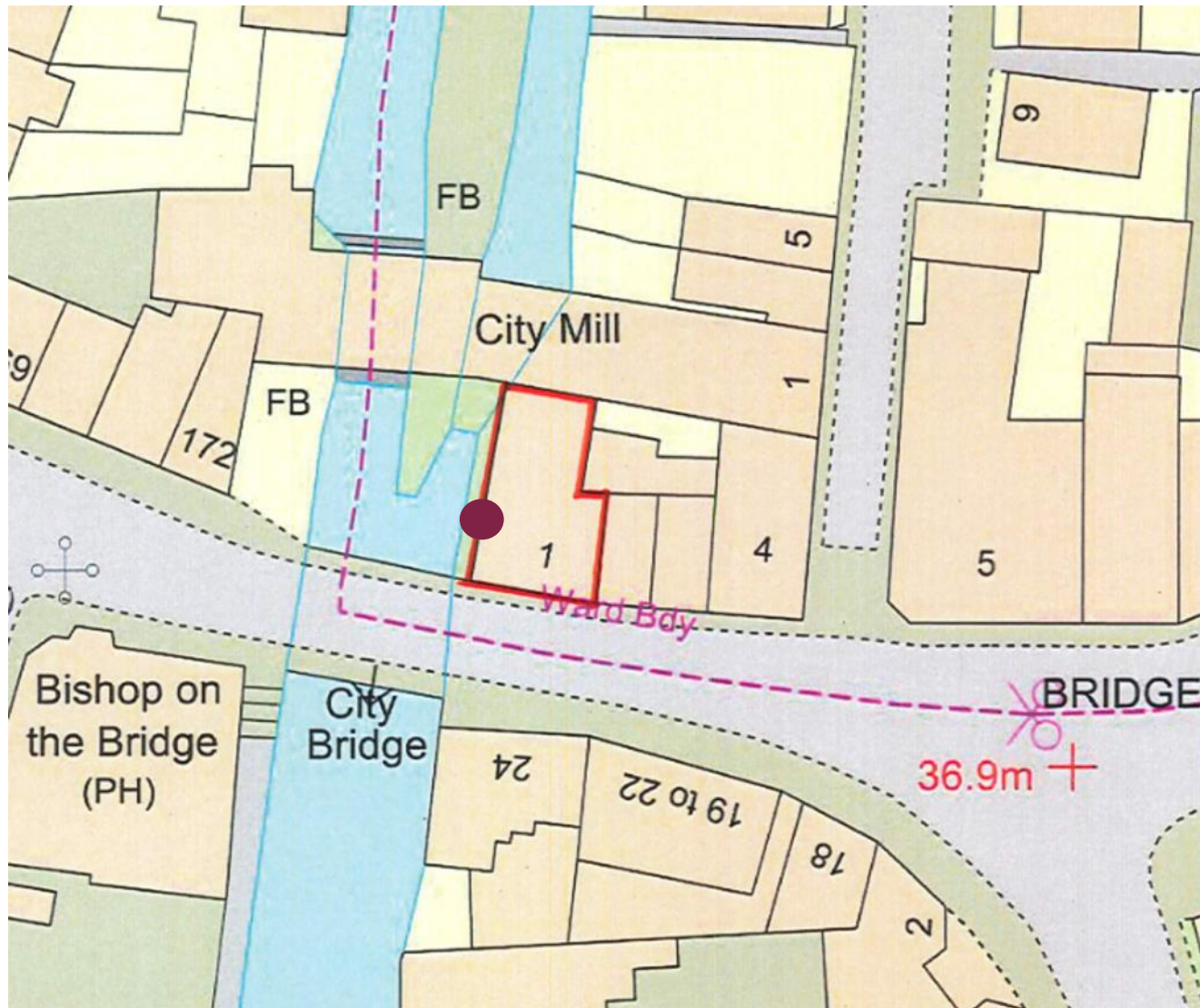


AERIAL PHOTOGRAPH



BLOCK PLAN SHOWING BARRIER LOCATION

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EXAMPLES OF SPECIFIED FLOOD BARRIER

Page 139



WESTERN ELEVATION

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View from access to City Mill

IMAGE OF DOOR



VIEW FROM THE BISHOP ON THE BRIDGE

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CONCLUSION

Recommendation: PERMIT

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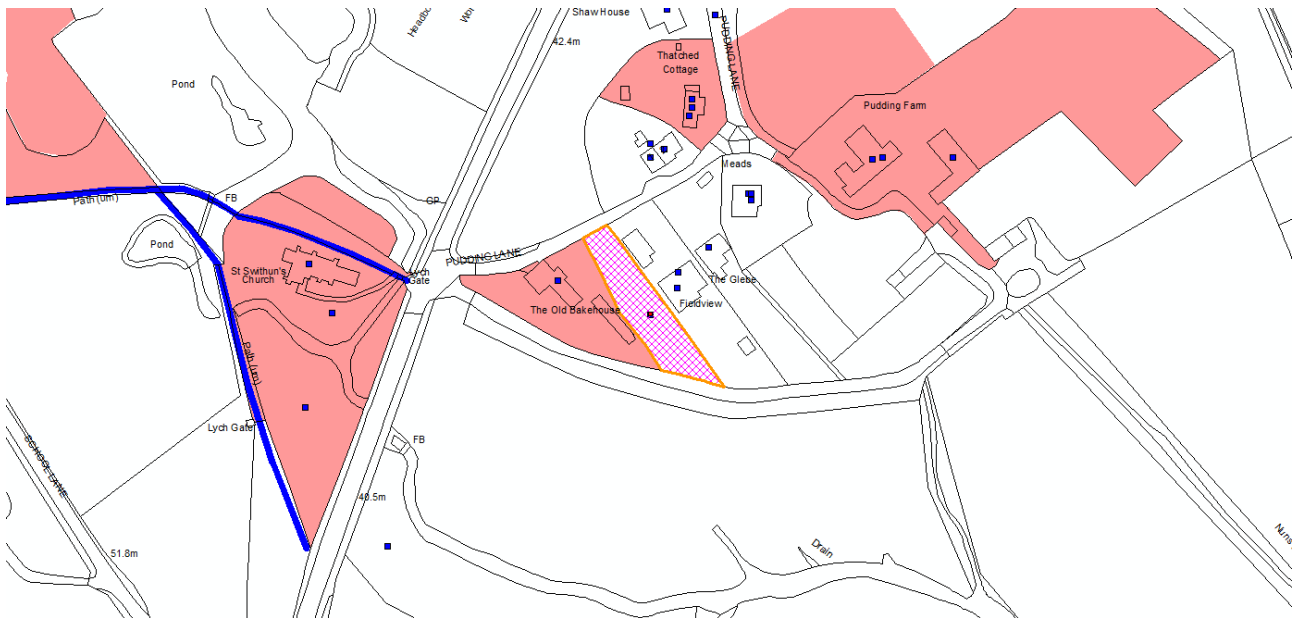
WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No:	26/00240/VAR
Proposal Description:	Variation of condition 4 (restriction on outbuilding use) and condition 3 (approved plans) to the approved application with reference number 20/01860/FUL, to allow ancillary domestic use of the outbuilding and to amend the outbuilding plans for fenestration changes and the creation of habitable rooms in the attic space. (revised proposal)
Address:	Apple Crumble Pudding Lane Headbourne Worthy Winchester Hampshire
Parish:	Headbourne Worthy
Applicants Name:	Mr and Mrs Wells
Case Officer:	Matthew Rutledge
Date Valid:	5 February 2026
Recommendation:	Approve
Pre Application Advice	No

Link to Planning Documents

Link to page – enter in reference number: 26/00240/VAR

<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 the proposals are not considered to have a harmful impact on the character of the application site or that of the surrounding area, are not considered to result in substantial harm to the residential amenity of

Case No: 26/00240/VAR

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neighbouring dwellings, and are not considered to have a material impact on the setting of the adjacent listed building.

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

Amendments to Plans Negotiated

The original submission sought to use the existing outbuilding as a Pilates studio for business purposes, providing an intended 10 sessions a week with up to 30 customers attending the site per week for this purpose.

Following a number of comments from neighbours, the applicant has decided to remove all aspects of business use from the proposal and the proposed use of the outbuilding is for ancillary living space to the main dwelling only.

Site Description

Apple Crumble is a detached residential dwelling on Pudding Lane, Headbourne Worthy, north of Winchester City Centre. Pudding Lane, a narrow single lane road, meets London Road in two places, forming a 'u' shape.

Apple Crumble itself is a modern detached dwelling built following permission in 2020 for the demolition of the original house on the site. The main house features a central glazed area flanked by two projecting gables. The dwelling is finished with brickwork to the ground floor and vertical cladding at first floor level, under slate roof tiles.

The permission for the replacement dwelling also included an outbuilding to the front of the site. The outbuilding has a rectangular form and pitched roof, with half of the structure being open sided to form a double carport. The remaining part of the outbuilding was intended for use as a garden office and store. The outbuilding is finished in materials to match the main house.

The adjacent neighbour to the east, Fieldview, has an outbuilding of similar design and proportion positioned adjacent to the outbuilding to Apple Crumble.

There are two Grade II listed buildings positioned on Pudding Lane. The Old Bakehouse is the immediately adjacent neighbour to the west, and Pudding Farm is situated further along the lane to the north east.

Proposal

It is proposed to amend condition numbers 3 and 4 of the approved planning application 20/01860/FUL, which granted permission for the replacement dwelling and outbuilding.

Condition 3 relates to the approved plans under the original decision. It is proposed to substitute a new site plan and outbuilding plans & elevations for those originally approved. The proposed changes relate to additional hardstanding for parking within the site and a number of alterations to the outbuilding as follows:

- Insert 1 window to front gable

Case No: 26/00240/VAR

WINCHESTER CITY COUNCIL
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- Insert 4 rooflights to the east roof slope
- Creation of first floor living space
- Regularise internal layout on the ground floor
- Regularise minor fenestration change at ground floor level on the west elevation – change from 4 to 3 window panes.

Condition 4 relates to a restriction on the use of the outbuilding and reads as follows:

The garage hereby permitted, including the first floor space, shall only be used for the purpose of accommodating private motor vehicles or other ancillary/domestic storage purposes, and shall not at any time be used for living accommodation, business, commercial or industrial purposes.

In the interests of the amenities of the locality

It is now proposed to amend the condition to allow use of the outbuilding as ancillary living space to the main dwelling. The proposed amended condition would read as follows:

The outbuilding as shown on the proposed block plan with reference WIN-AD-2039.04 shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic purposes and shall not at any time be used as an independent unit of living accommodation or for business, commercial, or industrial purposes.

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

Relevant Planning History

20/01860/FUL - Demolition of existing house and garage, and construction of replacement dwelling and outbuilding. PERMITTED 28th October 2020.

20/02634/DIC - Discharge of conditions 2, 5, 6, 10, 11 and 12 of planning application 20/01860/FUL. PERMITTED 10th December 2020.

22/01324/DIC - Application to discharge Condition 8 of permission 20/01860/FUL
1) SAP report 2] Water Efficiency Calculations. PERMITTED 25th July 2022.

Consultations

Hampshire County Council (Highway Authority) –

- The Highway Authority had concerns regarding the access to the site and limited passing places along Pudding Lane in the context of increased vehicle movements stemming from the previously proposed business use of the outbuilding. As this element of the proposal has since been removed, the Highway Authority comments are no longer relevant.

Representations:

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

- Increased traffic and highway issues due to previously proposed business use

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- Negative impact on neighbouring amenity arising from noise generated from the previously proposed business use
- Practicalities of enforcing against/limiting the previously proposed business use to the relatively low numbers of customers proposed
- Negative impact on the adjacent listed building

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

- Previously proposed business use would provide a local service
- The application with business use would have supported local business
- The scale of the previously proposed business use would have limited impact

Note that while the majority of the content of the public comments received is no longer relevant due to the removal of the previously proposed business use, no objecting comments were withdrawn and therefore the application still meets the requirements for determination by the Planning Committee.

Relevant Development Plan Documents and Policies

Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The current adopted development plans comprise:

Winchester Local Plan 2020-2040 (adopted March 2026)

- D1 – High Quality Well Designed and Inclusive Places
- D7 – Development Standards
- HE1 – Historic Environment
- HE2 – All Heritage Assets
- HE3 – Designated Heritage Assets
- HE5 – Protecting the Significance of Heritage Assets and Mitigating Unavoidable Harm
- HE8 – Applications Affecting Listed Buildings
- NE6 – Flooding, Flood Risk and the Water Environment
- SP3 – Development in the Countryside
- T1 – Sustainable and Active Transport and Travel

Other Relevant Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2024)

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

National Planning Practice Guidance (NPPG)

- Appeals
- Appropriate assessment

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- Before submitting an application
- Design: process and tools
- Determining a planning application
- Fees for planning applications
- Flood risk and coastal change
- Historic environment
- Making an application
- Noise
- Planning obligations
- When is permission required?

Supplementary Planning Document
High Quality Places (2015)

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.

Principle of development

The application site is outside of a defined settlement boundary. In this area, Local Plan policy SP3 will only permit specific types of development. In this case the proposal comprises minor alterations to an existing outbuilding within the residential curtilage of an existing dwelling and is therefore acceptable in principle. Local Plan policy SP3 sets out that proposed development should not increase flood risk, cause unacceptable harm to the character and landscape of the area or to neighbouring amenity, or result in unacceptable noise, light and traffic generation.

Section 73 of The Town and County Planning Act 1990 allows for the alteration or removal of conditions subject to which a previous planning permission was granted.

Part of the proposal includes the alteration to condition 4 of the original grant of planning permission for the replacement dwelling and new outbuilding, which restricted the use of the outbuilding to accommodating private motor vehicles or other ancillary/domestic storage purposes.

It is now proposed to reword the condition, the full proposed condition can be read above, to allow the outbuilding to be used for accommodating private motor vehicles or other ancillary domestic purposes. This would enable the internal parts of the outbuilding to be used as living space in association with the main dwelling.

The original permission, 20/01860/FUL, lists the approved plan P311/8 which indicates that part of the internal space of the outbuilding would be a garden office. It would appear, therefore, that the original intention for the outbuilding included some form of ancillary domestic use.

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Overall, it is not considered that relaxing the condition to include ancillary domestic use, rather than strictly ancillary domestic storage, would result in harmful uses of the space, particularly given that the condition goes on to restrict use as living accommodation or for business, commercial, or industrial purposes.

The proposed alteration to condition 4 is therefore considered acceptable and in accordance with policies D1, D7, and SP3 of the Local Plan 2020 – 2040.

Impact on character and appearance of area

The proposed window to the front gable of the outbuilding and the rooflights to the east roof slope will be visible from the public realm, albeit the rooflights will be largely obscured from view by the roof of the adjacent outbuilding within the curtilage of Field View.

These additional windows are not considered to fundamentally change the character or appearance of the outbuilding as previously approved.

The reduction in window panes on the west elevation at ground floor level would be partially visible from the public realm but again this alteration is not considered to fundamentally change the character or appearance of the outbuilding as previously approved.

The other amendments to the outbuilding as previously approved relate to internal rooms and layouts, which is not evident externally and would not impact on the character or appearance of the outbuilding. The small increase in block paving at the top of drive would also not be considered to materially alter the character of the site.

With the above in mind, it is not considered that the proposals have a negative impact on the character or appearance of the existing outbuilding, the application site, or the surrounding area. Therefore, the proposal complies with policy D1 of the Local Plan 2020-2040.

Development affecting the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the 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 application site is located 345m from the South Downs National Park. Due to the nature of the proposed development, distance, and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

In conclusion 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.

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Historic Environment

The application site is not within a conservation area, however, the adjacent neighbour to the east is The Old Bakehouse, a Grade II listed building. Further north east is Pudding Farm, another Grade II listed building.

Consideration needs to be given as to whether the changes proposed through this Section 73 application would affect the setting of these statutory Listed buildings.

Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990) says that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building.

The preservation of the special architectural/historic interest of the listed building and its setting is addressed in Policies HE1, HE2, HE3 and HE8 of the Local Plan and the NPPF (2024) Section 16.

The NPPF requires local authorities to take account of all heritage assets in making planning decisions, with an aspiration to sustain or enhance their significance. Any harm to designated heritage assets must be justified or balanced by a wider public benefit.

In this case, the key consideration is the adjacent Grade II listed building to the east, The Old Bakehouse. The Old Bakehouse, listed under the name The Elms, dates back to the 16th century with several early and late 19th century additions. The original cottage is finished in brick and flint while the more modern additions are brick only. There is a modern timber framed and clad outbuilding/garage in the south east corner of its curtilage, which is adjacent to Apple Crumble.

The Old Bakehouse is prominent in the street scene, as it immediately adjoins Pudding Lane, while the other nearby properties including Apple Crumble are set substantially back from the roadside.

The proposed development at Apple Crumble includes some minor physical alterations to the existing outbuilding, as described above, and a small increase in hardstanding in the existing driveway. These alterations do not materially change the character or appearance of the application site and, therefore, are not considered to have any harmful impact on the setting of the listed building, The Old Bakehouse.

The Grade II listed building further north east, Pudding Farm, is approximately 80m away from the site with intervening dwellings between and therefore will also not be affected by the proposals.

Therefore, it is not considered that the proposals will result in any harm to these nearby heritage assets and the application complies with Local Plan policies HE1, HE2, HE3, HE5, and HE8 and the guidance in the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990)

Neighbouring amenity

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The proposals do not include any alterations to the footprint, height or form of the existing outbuilding. As such, the proposed development does not result in harm to neighbouring amenity of an overbearing nature or from overdevelopment of the site.

The proposed development introduces several windows to the existing outbuilding and creates a new first floor level internally. As such, these windows have the potential to cause harmful overlooking to neighbouring residential amenity.

The proposed window to the front gable of the outbuilding will have views across Pudding Lane and towards what is currently an area of grassland that appears to be associated with the curtilage of Shaw House. Shaw House itself is positioned much further to the north, it is set in a substantial plot which extends south east and curves to meet Pudding Lane opposite The Old Bakehouse and Apple Crumble. This area is currently not enclosed by any boundary treatment. While the proposed front window to the outbuilding would look over this land, it would not create views that are not already obtainable from the first floor windows of The Old Bakehouse and Apple Crumble itself, and from users of the lane as they pass by. In addition, Shaw House itself is approximately 65m further north east from this piece of land, which is therefore not considered sensitive amenity space.

Having regard to this, the proposed window to the front gable of the outbuilding is not considered to result in harmful views to surrounding neighbours to a degree that would justify refusal of the application.

It is also proposed to add four rooflights in the north east roof slope of the existing outbuilding. These rooflights would be positioned along the boundary with the eastern neighbour, Field View.

Field View has its own outbuilding of a very similar form and appearance positioned directly adjacent to the outbuilding to Apple Crumble, on the opposite side of the shared boundary. Due to this, it is considered that views from the proposed rooflights are likely to be of only the pitched roof of the adjacent outbuilding, which does not feature any rooflights of its own on the elevation facing Apple Crumble. The most southerly proposed rooflight, i.e. the one that would be closest to Field View itself, is proposed to serve a shower room and is to be obscure glazed. Due to the positioning of this window, the adjacent outbuilding, and Field View, this window may have created views back towards the windows on the front elevation of Field View. The obscure glazing, which will be a condition of any permission granted, will ensure privacy for the occupants of Field View. The remaining rooflights are further northwards along the outbuilding and views back towards Field View would be obstructed by the roof line of the outbuilding to Field View as mentioned above.

As such, it is not considered that the proposed rooflights would cause unacceptable overlooking of any neighbouring residential amenity.

Therefore, the proposal complies with Local Plan policy D1 as it does not result in harmful impacts on neighbouring residential amenity at a scale that would justify refusal of the application.

Sustainable Transport

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The proposal does not result in a new use of the outbuilding other than for purposes ancillary to the main house, which is a use that in practicality exists at present. The proposal does not result in any alterations to the access to the site or in the loss of any vehicular parking. As such, the proposal will have no impact on highway safety, amenity, traffic generation, air quality, sustainable travel, or parking availability.

Therefore, the proposal complies with Local Plan policy T1.

Ecology and Biodiversity

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

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

The proposals relate to alterations to the appearance, use and layout of an existing building and a small increase to hardstanding and will have no material impact upon biodiversity. Section 73 applications are exempt from Biodiversity Net gain.

As the proposal complies with policies NE1 and NE5 of the Local Plan.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Local Plan policies CN1 to CN8 expects new development to be designed in a way that adapts to climate change where relevant.

Given the nature of the development (a Section 73 application seeking alterations to an existing outbuilding) it is not considered that these policies can practically be applied to this application.

Sustainable Drainage

The proposal is not considered to have an impact on sustainable drainage because the small increase to hardstanding will be formed from permeable block paving to match the existing driveway. As such, surface water will continue to be able to drain within the site.

Therefore, the proposal complies with Local Plan policy NE6.

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

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addressed. The Local Planning Authority has given due regard to this duty, and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

The proposed development is considered to result in negligible change to the character of the application site and existing outbuilding. As a result, it is not considered that there is any impact on the character or appearance of the surrounding area, including the setting of the adjacent listed building, The Old Bakehouse.

It is not considered that the proposal would result in negative impacts to the residential amenity of any neighbouring dwellings to a degree that would justify refusal of the application.

The proposed alteration to condition 4 retains the link with the existing house and continues to ensure that the outbuilding cannot be used as an independent unit of accommodation or for business, commercial, or industrial purposes. As such the alteration is considered acceptable.

In conclusion it is considered that the proposal accords with national planning policies, the Development Plan policies, and does not raise any material matters that weigh sufficiently against the granting of planning permission.

Recommendation

Approve, subject to the following conditions:

Conditions

1. This permission shall be carried out in accordance with the following approved plans and documents:

Proposed Block Plan WIN-AD-2039.04
Proposed Ground Floor Plan - P311/5
Proposed First Floor Plan - P311/6
Proposed Elevations - P311/7
Proposed Roof Plan - P311/9
Proposed Plans & Elevations WIN-AD-2039.05 Rev A

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

2. The outbuilding as shown on the proposed block plan with reference WIN-AD-2039.04 shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic purposes and shall not at any time be used as an independent unit of living accommodation or for business, commercial, or industrial purposes.

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

3 The southernmost rooflight in the north east roof slope of the outbuilding, as indicated on the plan WIN-AD-2039.05 Rev A, shall be glazed with obscure glass which achieves an

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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.

4. The arrangements for the disposal of foul and surface water shall be maintained in accordance with the details submitted and approved under the application with reference 20/02634/DIC.

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

5. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- means of enclosure, including any retained structures;
- hard surfacing materials;
- planting plans including species, planting sizes and proposed numbers / densities where appropriate;
- implementation programme.

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

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

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

7. The development will continue to be occupied in accordance with the SAP 'as built' stage data and BRE water calculator submitted and approved under the application with reference 22/01324/DIC.

Reason: To ensure a sustainable form of development.

8. Development shall cease on site if, during any stage of the works, unexpected, ground conditions or materials which suggest potential contamination are encountered. 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.

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

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9. The hereby approved development will be undertaken in accordance with the details for the parking and turning of onsite operative and construction vehicles submitted and approved under the application with reference 20/02634/DIC.

Reason: In the interests of highway safety.

10. The hereby approved development will be undertaken in accordance with the details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway submitted and approved under the application with reference 20/02634/DIC.

Reason: In the interests of highway safety.

Informatives:

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

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

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

Local Plan 2020 – 2040: D1, D7, HE1, HE2, HE3, HE5, HE8, NE6, SP3, T1

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NPPF Section 16

High Quality Places SPD

3. This permission is granted for the following reasons:

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

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

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

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

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

7. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the 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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26/00240/VAR

VARIATION OF CONDITION 4 (RESTRICTION ON OUTBUILDING USE) AND
CONDITION 3 (APPROVED PLANS) TO THE APPROVED APPLICATION WITH
REFERENCE NUMBER 20/01860/FUL, TO ALLOW ANCILLARY DOMESTIC USE
OF THE OUTBUILDING AND TO AMEND THE OUTBUILDING PLANS FOR
FENESTRATION CHANGES AND THE CREATION OF HABITABLE ROOMS IN THE
ATTIC SPACE. (REVISED PROPOSAL)

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APPLE CRUMBLE
PUDDING LANE
HEADBOURNE WORTHY
WINCHESTER
SO23 7JL

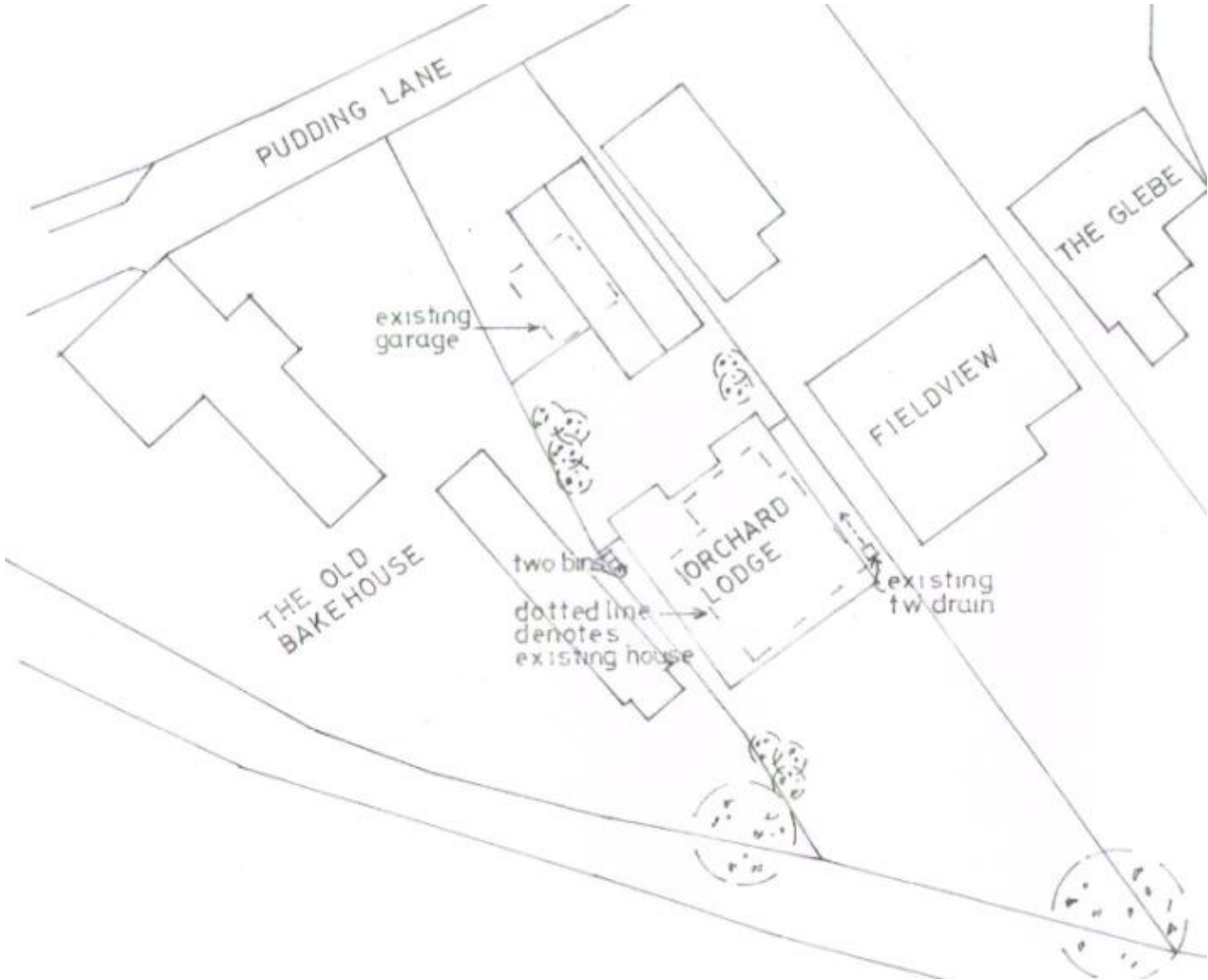


LOCATION PLAN

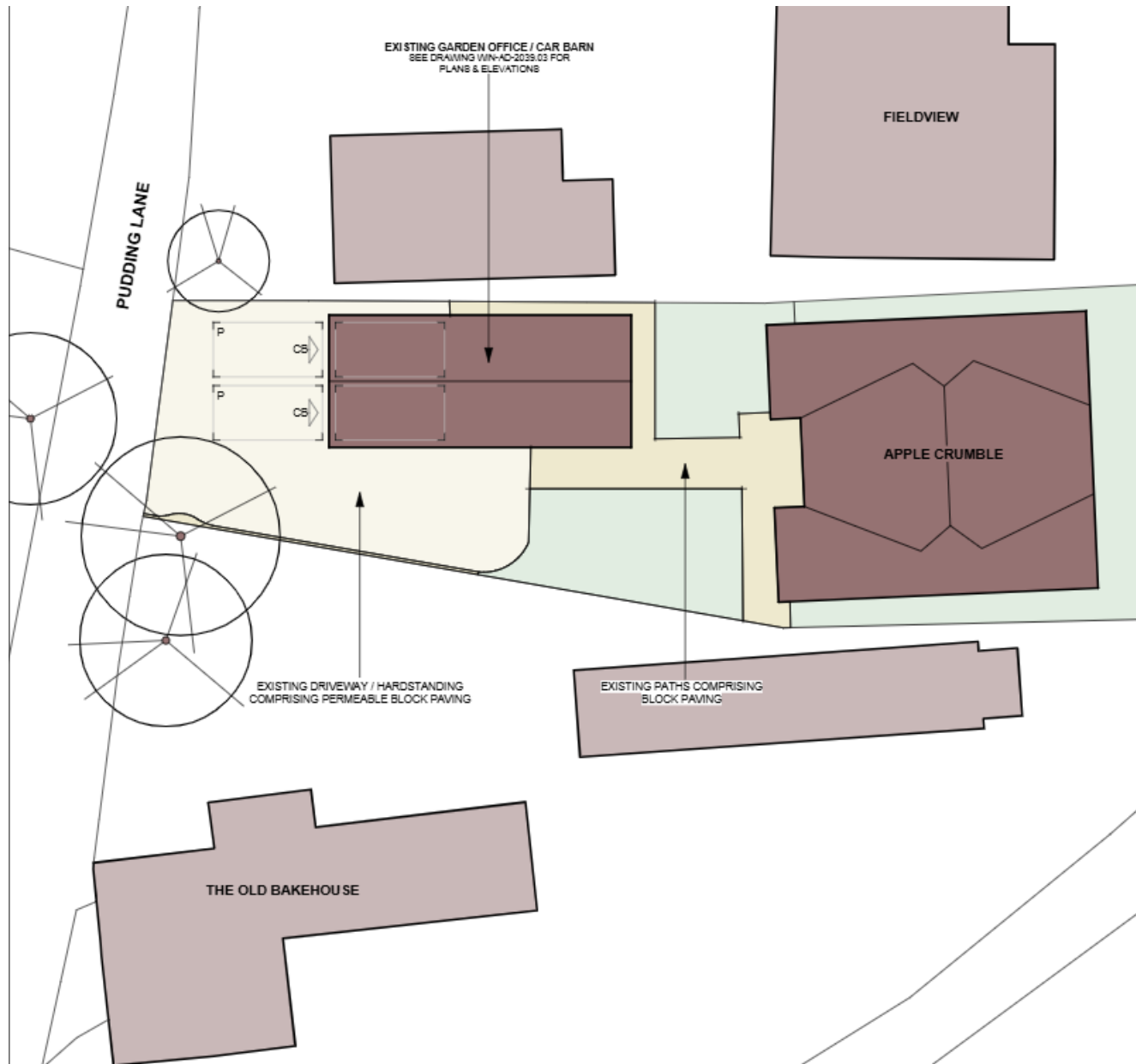
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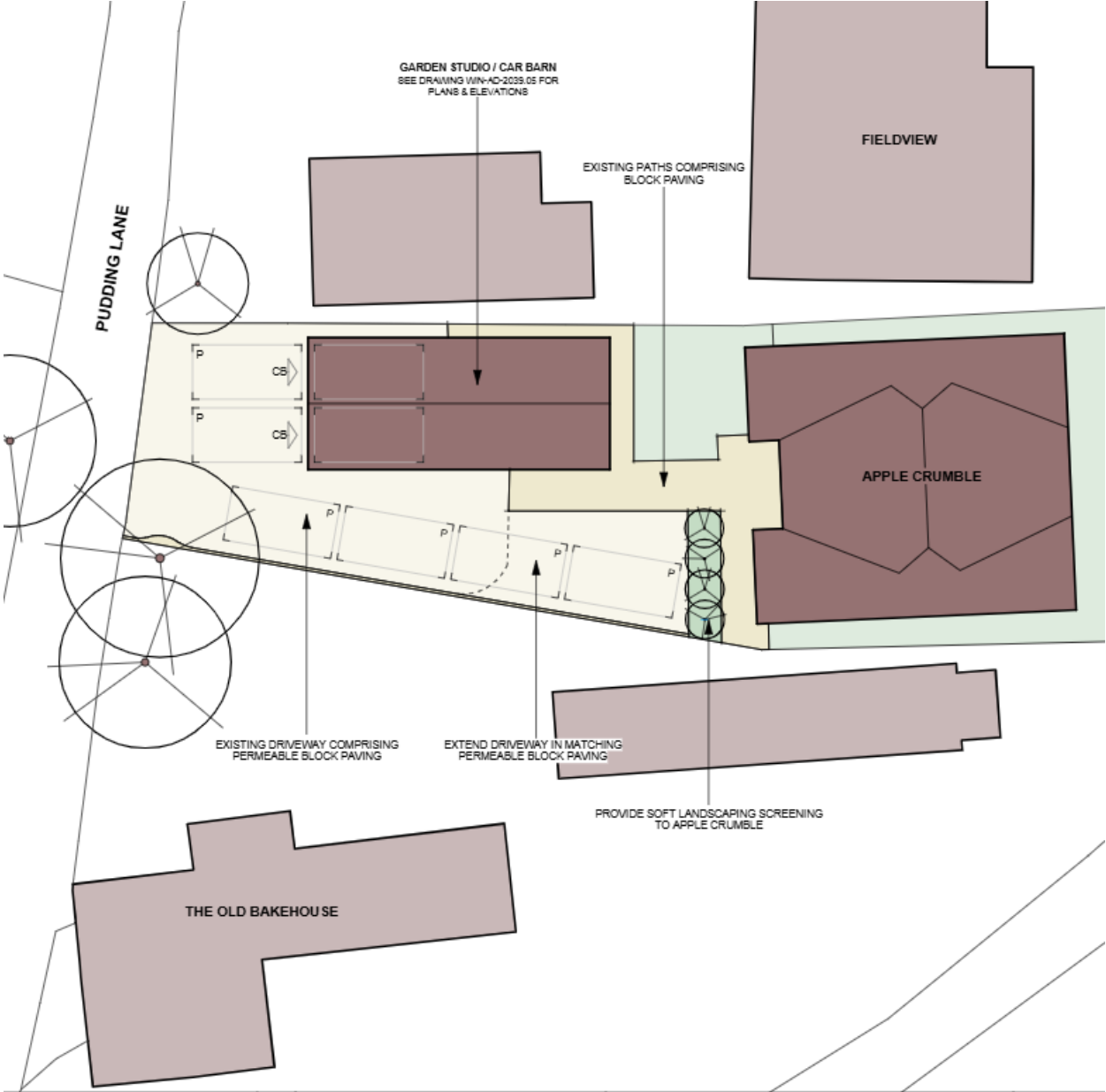
ORIGINAL PERMISSION - BLOCK PLAN



EXISTING (AS BUILT) BLOCK PLAN

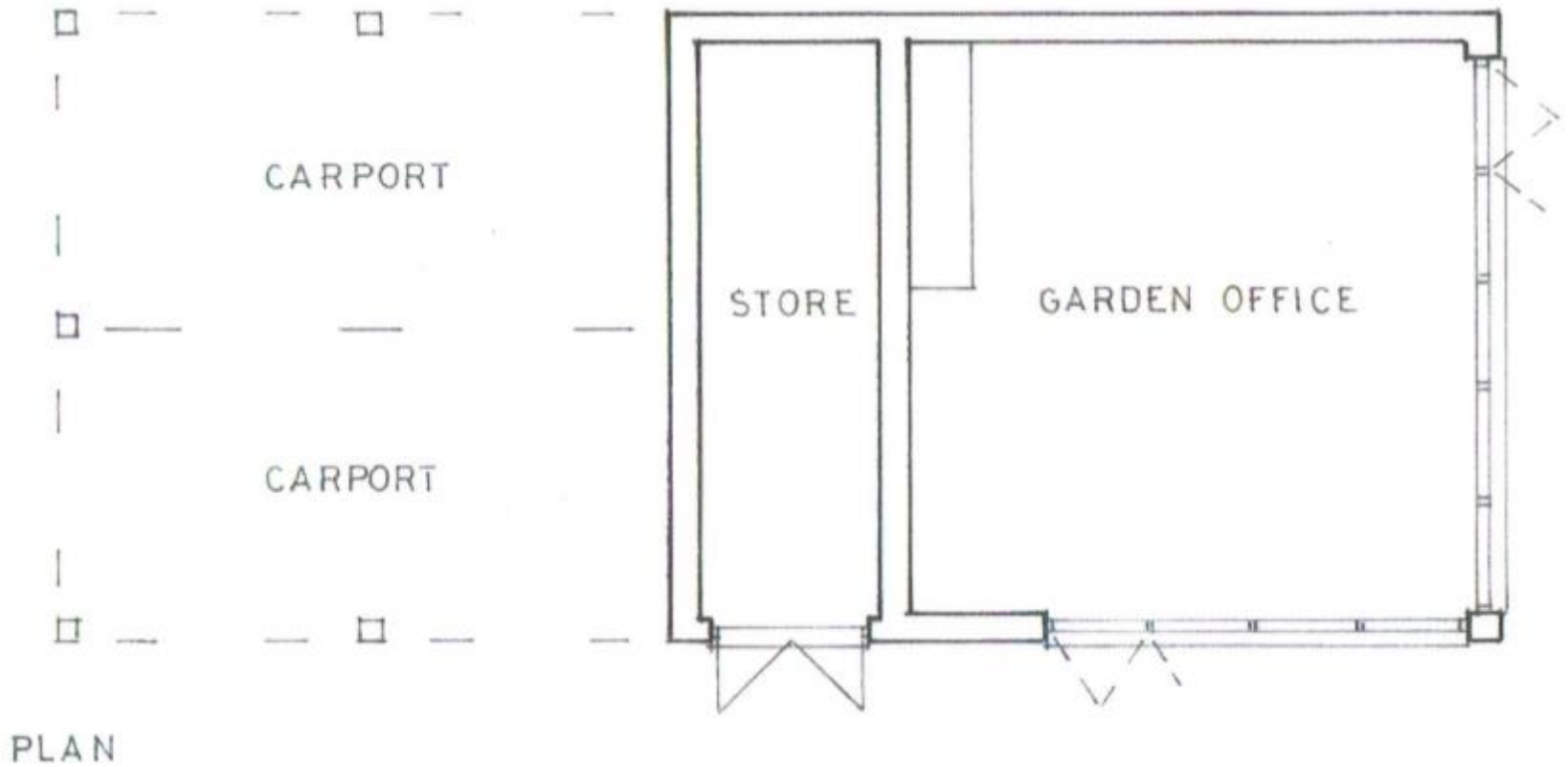


PROPOSED BLOCK PLAN



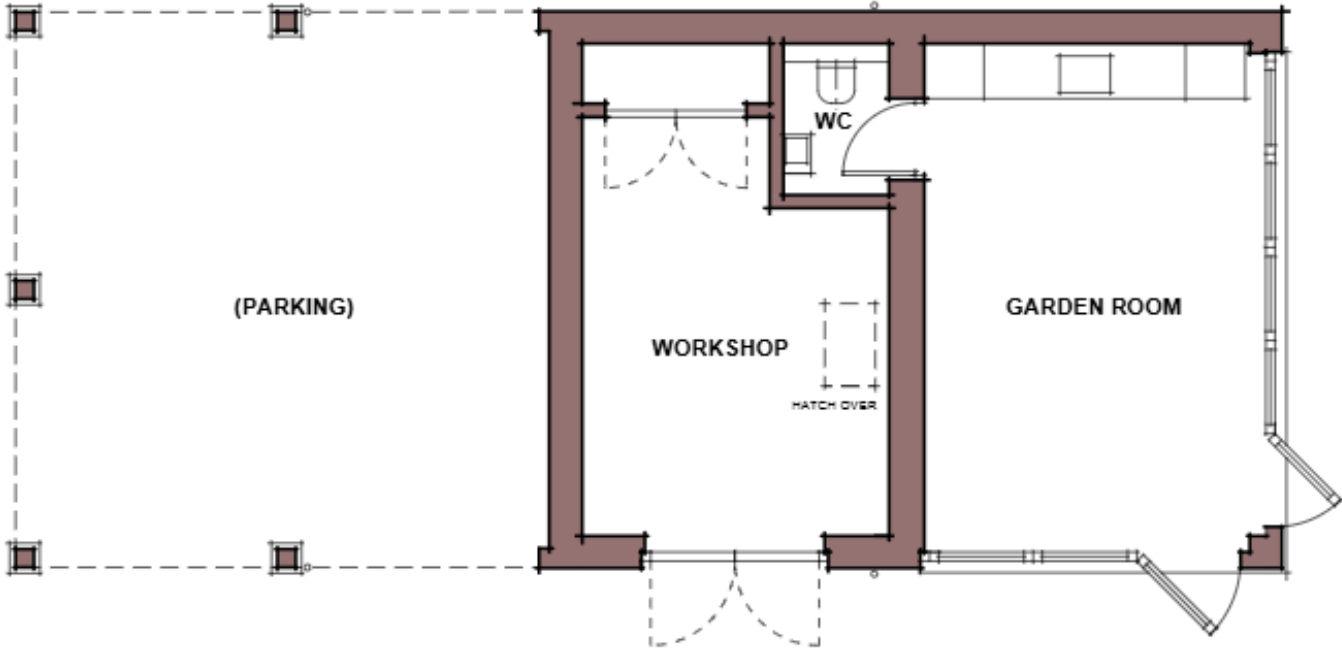
ORIGINAL PERMISSION - GROUND FLOOR PLAN

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EXISTING (AS BUILT) GROUND FLOOR PLAN

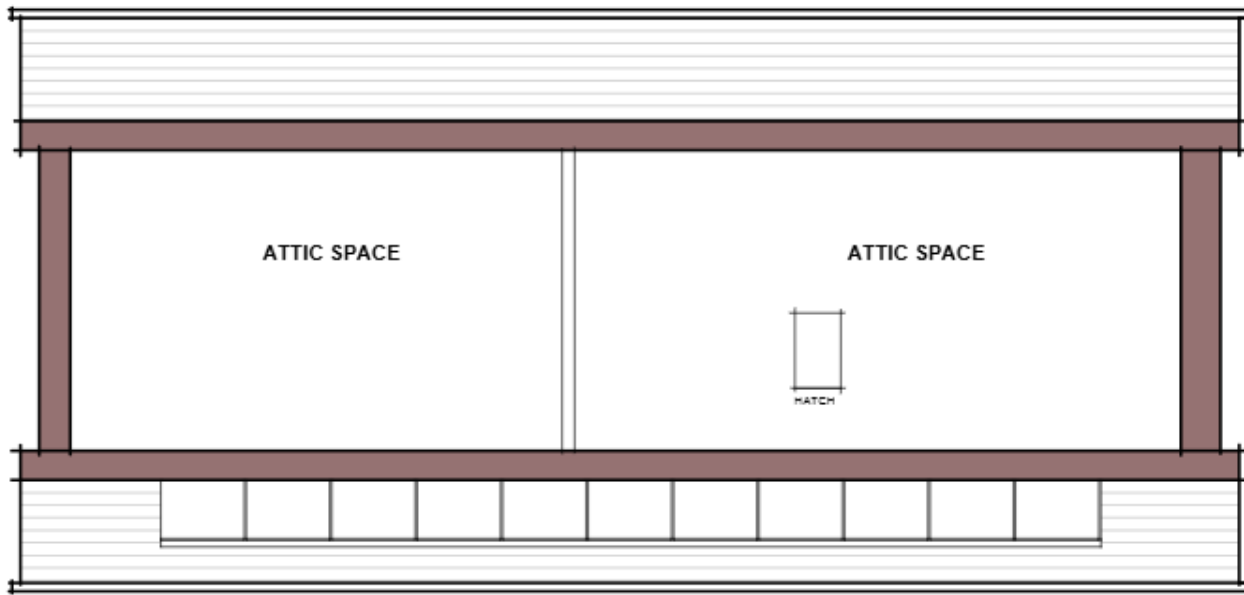
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EXISTING GROUND FLOOR PLAN
SCALE 1:100

EXISTING (AS BUILT) FIRST FLOOR PLAN

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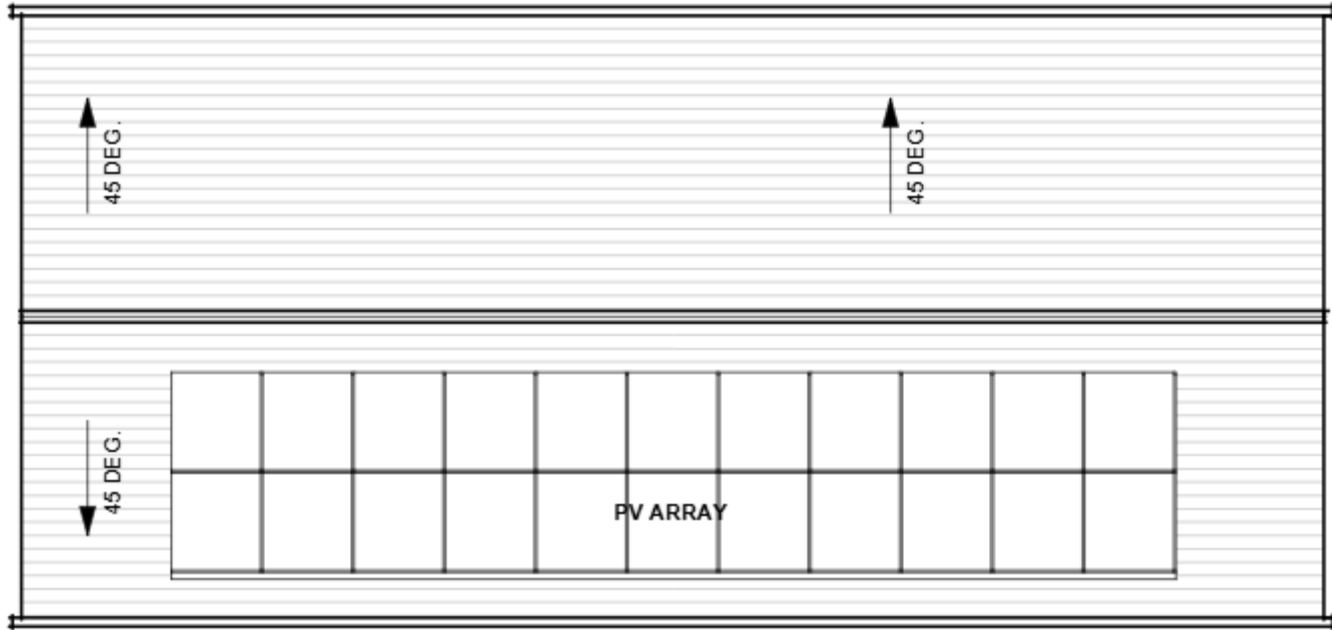


EXISTING FIRST FLOOR PLAN

SCALE 1:100

EXISTING (AS BUILT) ROOF PLAN

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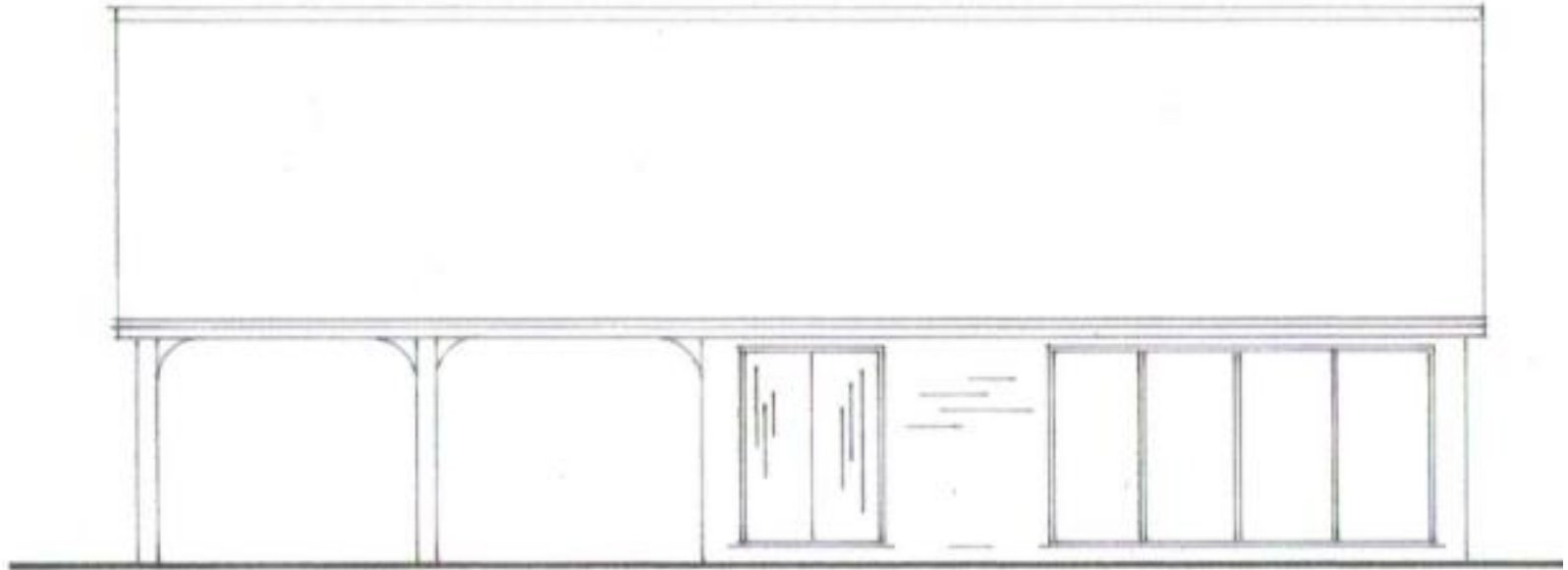


EXISTING ROOF PLAN

SCALE 1:100

ORIGINAL PERMISSION - SOUTHWEST ELEVATION

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SOUTH-WEST ELEVATION

EXISTING (AS BUILT) SOUTHWEST ELEVATION

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EXISTING SW ELEVATION

SCALE 1:100

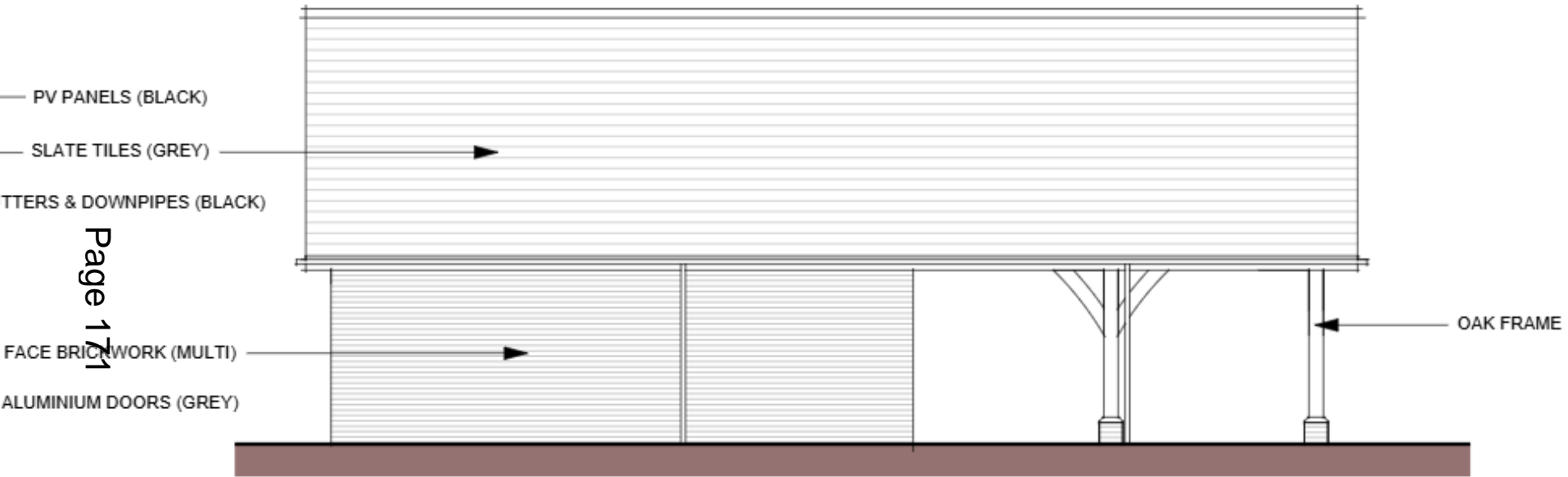
ORIGINAL PERMISSION - NORTHEAST ELEVATION

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NORTH-EAST ELEVATION

EXISTING (AS BUILT) NORTHEAST ELEVATION

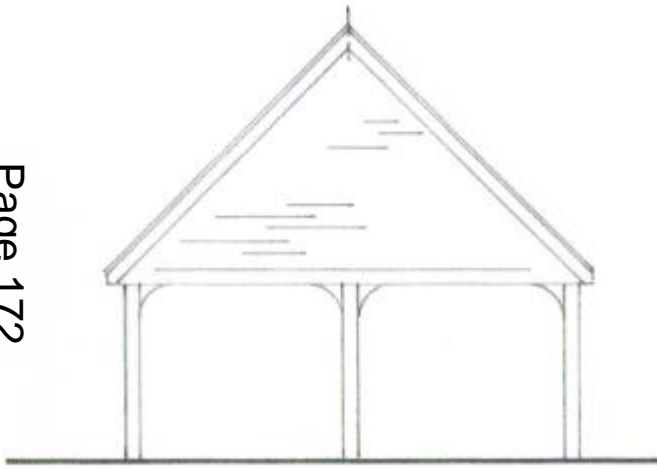


EXISTING NE ELEVATION

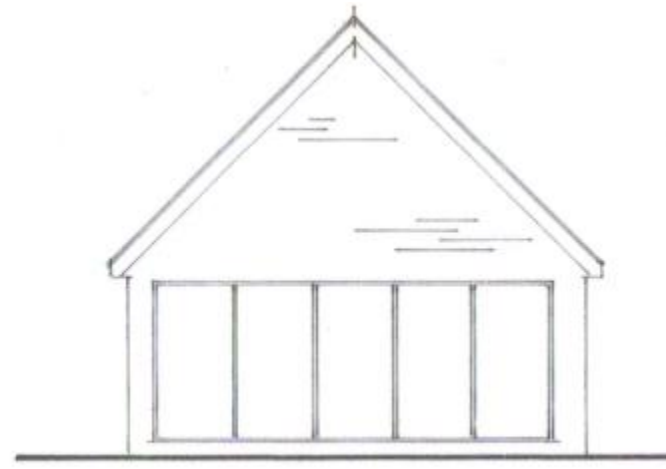
SCALE 1:100

ORIGINAL PERMISSION - NORTHWEST & SOUTHEAST ELEVATIONS

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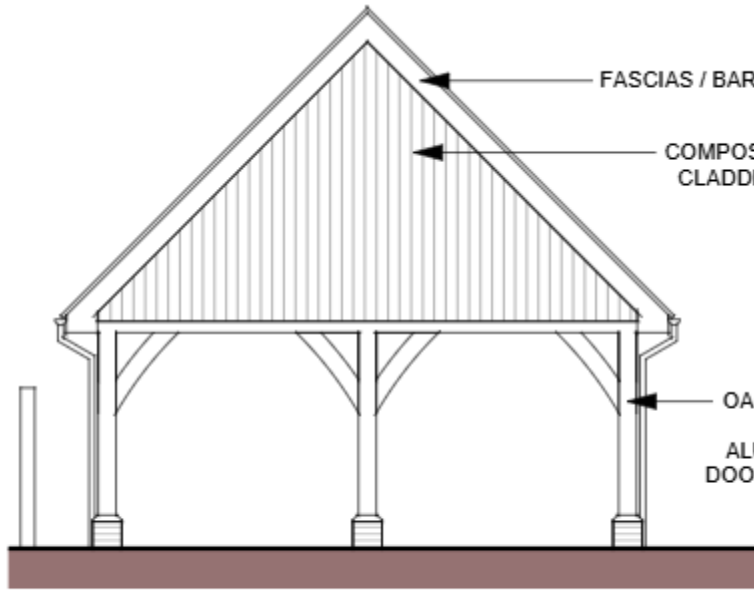
NORTH-WEST ELEVATION



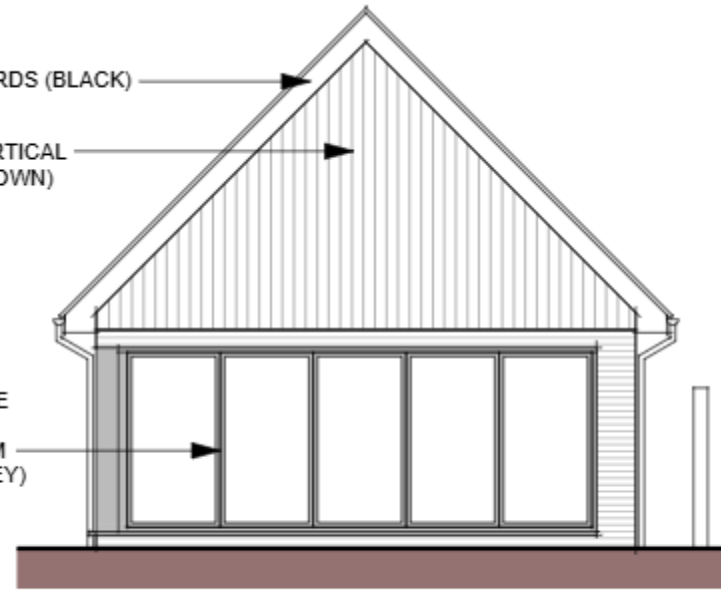
SOUTH-EAST ELEVATION

EXISTING (AS BUILT) NORTHWEST & SOUTHEAST ELEVATIONS

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EXISTING NW ELEVATION
SCALE 1:100



EXISTING SE ELEVATION
SCALE 1:100

FASCIAS / BARGEBOARDS (BLACK)

COMPOSITE VERTICAL
CLADDING (BROWN)

OAK FRAME

ALUMINIUM
DOORS (GREY)

PROPOSED SOUTHWEST ELEVATION

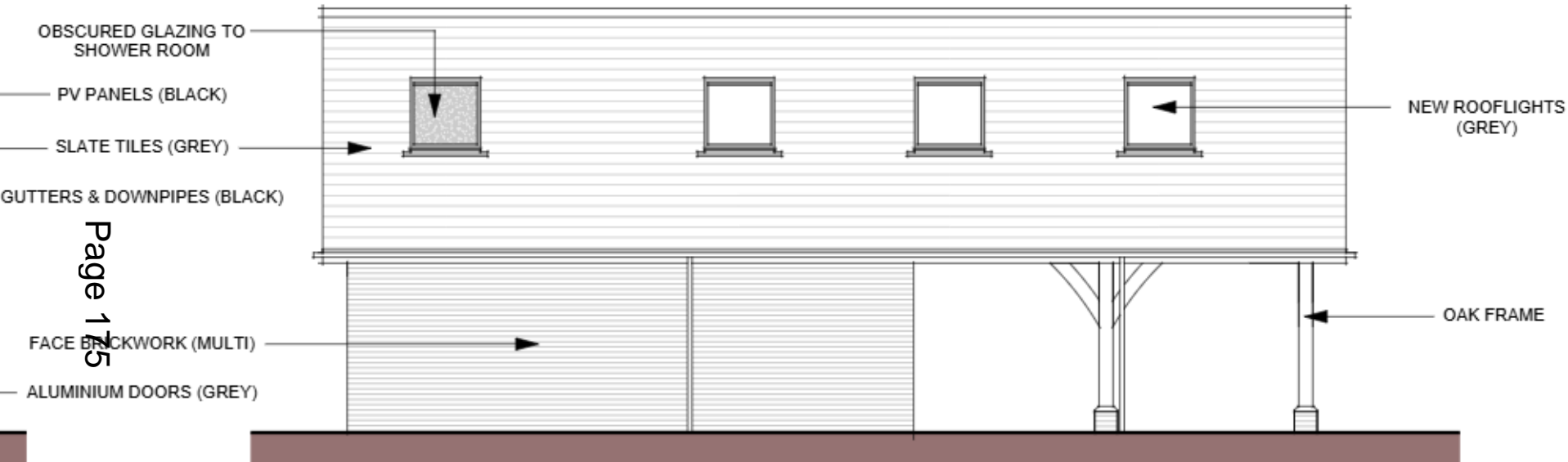
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PROPOSED SW ELEVATION

SCALE 1:100

PROPOSED NORTHEAST ELEVATIONS

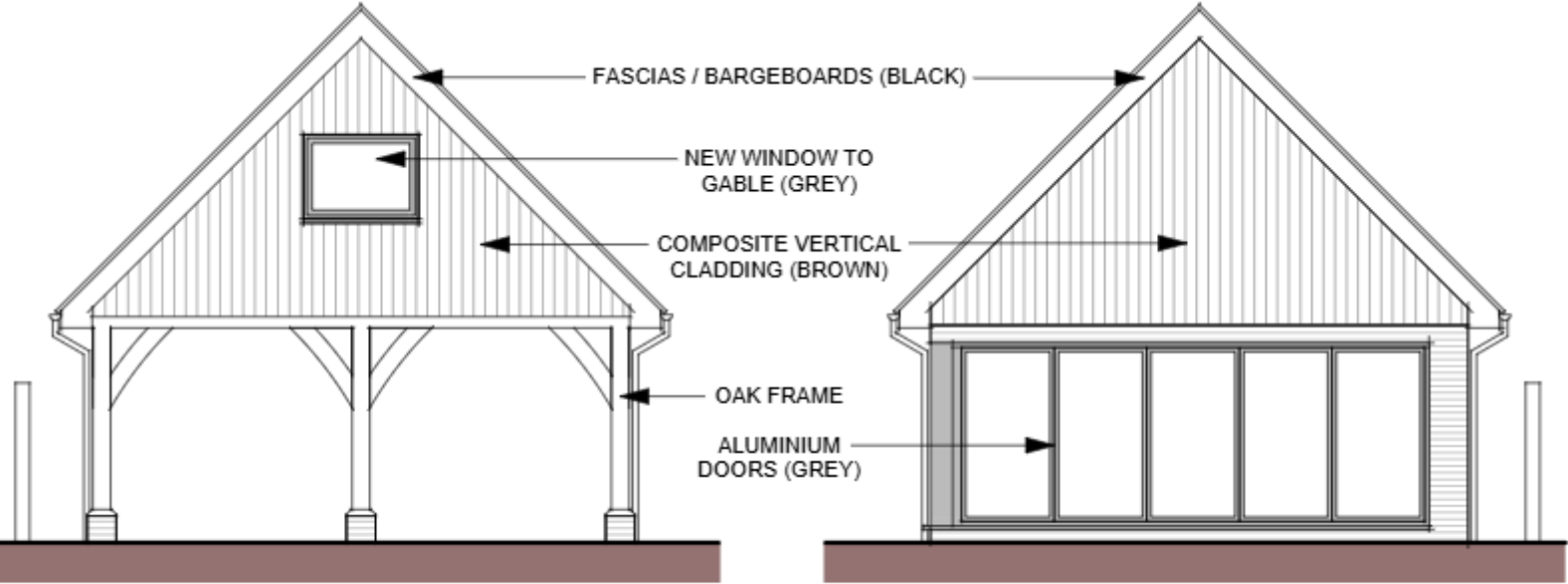


PROPOSED NE ELEVATION

SCALE 1:100

PROPOSED NORTHWEST & SOUTHEAST ELEVATIONS

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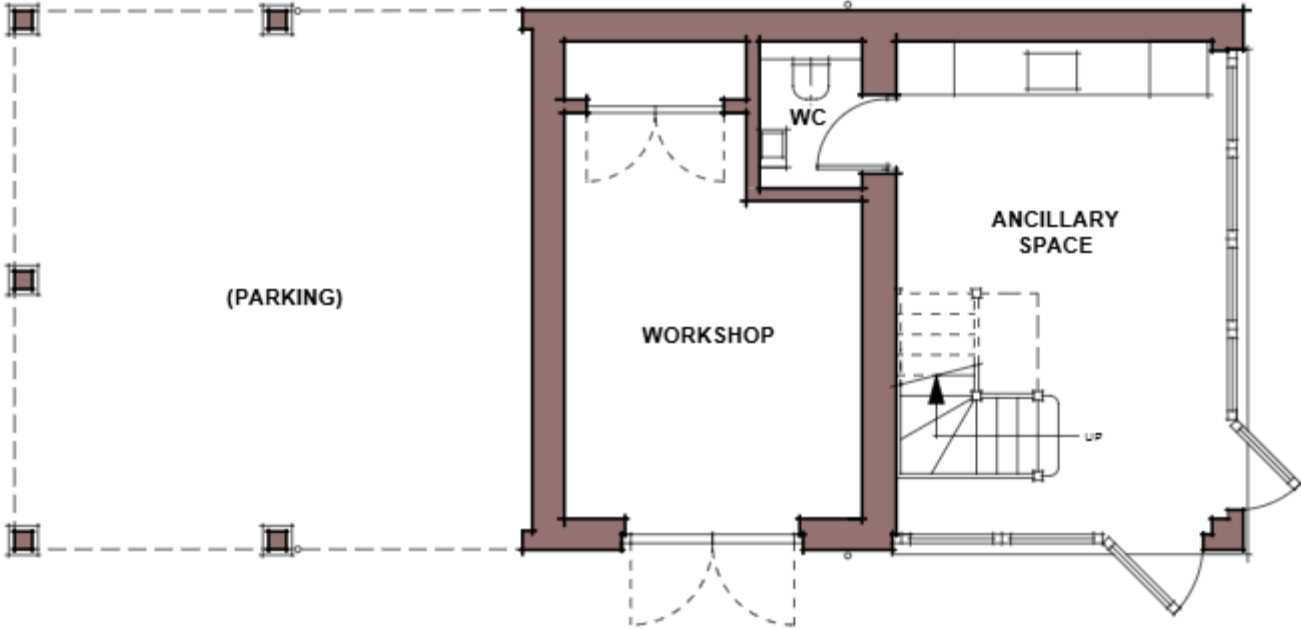


PROPOSED NW ELEVATION
SCALE 1:100

PROPOSED SE ELEVATION
SCALE 1:100

PROPOSED GROUND FLOOR PLAN

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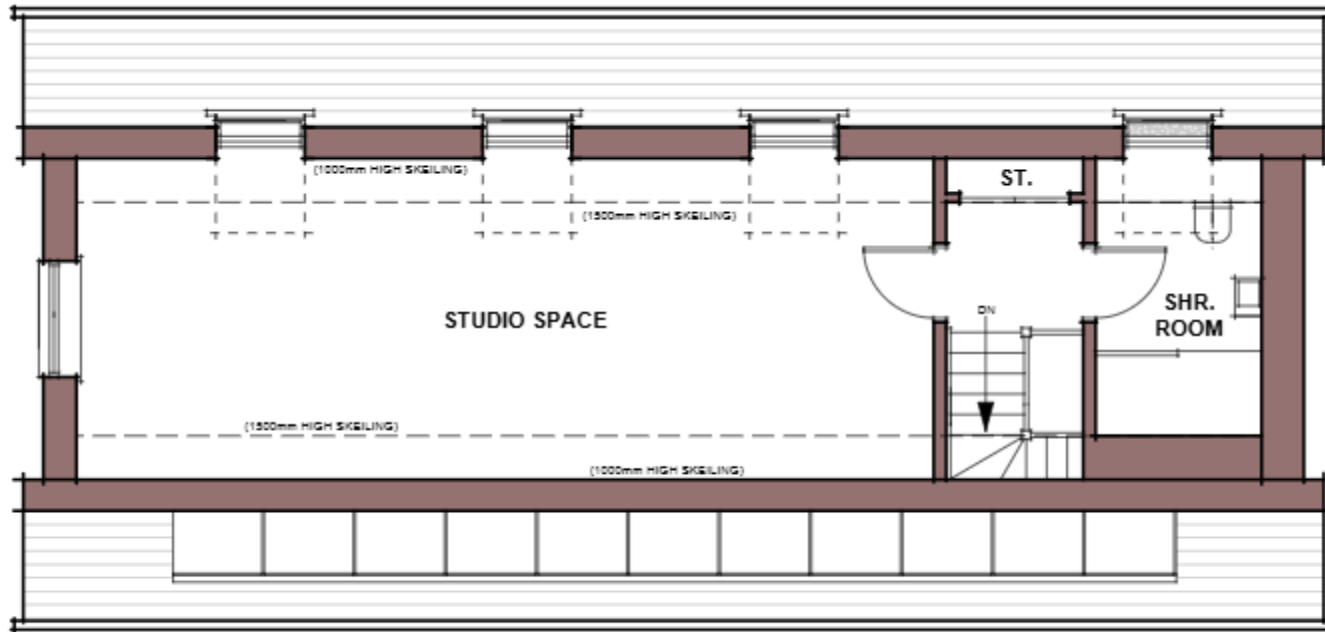


PROPOSED GROUND FLOOR PLAN

SCALE 1:100

PROPOSED FIRST FLOOR PLAN

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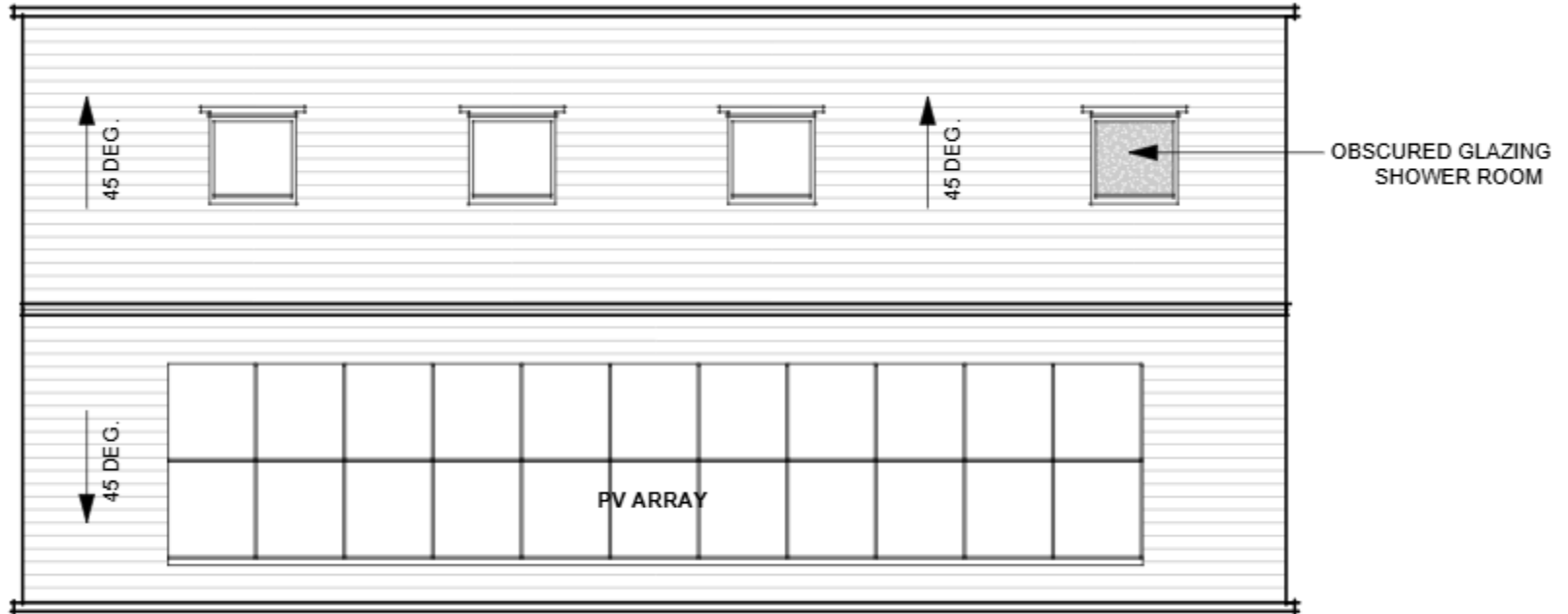


PROPOSED FIRST FLOOR PLAN

SCALE 1:100

PROPOSED ROOF PLAN

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PROPOSED ROOF PLAN

SCALE 1:100

SITE ACCESS & CAR PORT

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13 February 2026 12:55 pm

NEIGHBOURING CAR PORT

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RELATIONSHIP BETWEEN CAR PORTS

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NORTHEAST ELEVATION OF EXISTING CAR PORT

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SOUTHWEST ELEVATION OF EXISTING CAR PORT

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VIEW TO MAIN HOUSE

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13 February 2026 12:57 pm

VIEW FROM WITHIN SITE TO PUDDING LANE

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ADJACENT GRADE II LISTED BUILDING

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VIEW NORTHEAST ALONG PUDDING LANE FROM SITE ENTRANCE

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13 February 2026 12:55 pm

VIEW SOUTHWEST ALONG PUDDING LANE FROM SITE ENTRANCE

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13 February 2026 12:55 pm

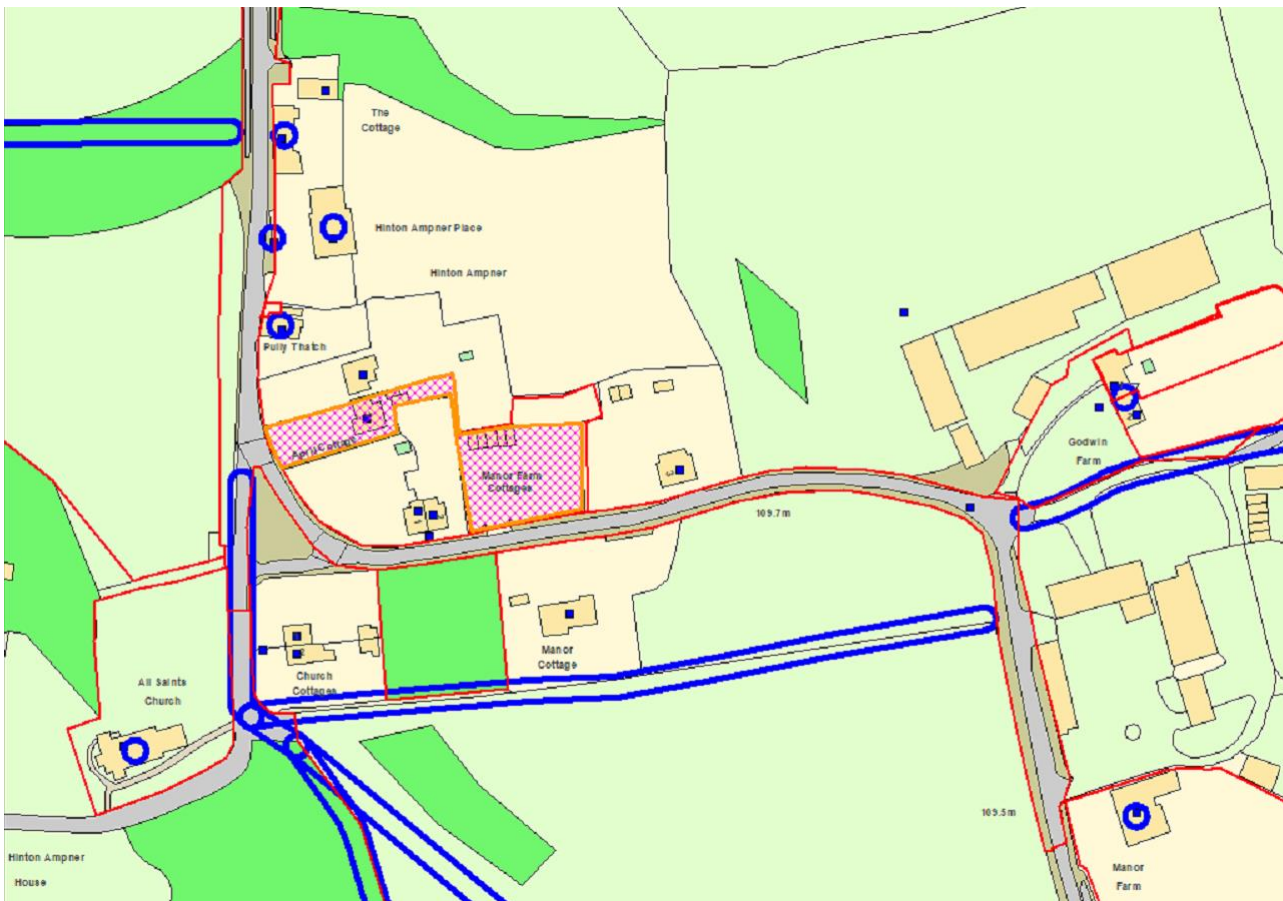
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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: SDNP/25/04792/FUL
Proposal Description: (April Cottage) Proposed change of use from C3 to E(f) with associated parking.
Address: 1 Hinton Hill Cottages, Hinton Hill, Hinton Ampner, Hampshire, SO24 0JZ
Parish: Bramdean & Hinton Ampner Parish
Applicants Name: Alison Pearce, Hummingbirds Nursery
Case Officer: Tania Novachic
Date Valid: 01 December 2025
Recommendation: Permit
Pre Application Advice: Yes (on car park only)

Link to Planning Documents

[SDNP/25/04792/FUL | \(April Cottage\) Proposed change of use from C3 to E\(f\) with associated parking | 1 Hinton Hill Cottages Hinton Hill Hinton Ampner Hampshire SO24 0JZ](#)



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**WINCHESTER CITY COUNCIL
PLANNING COMMITTEE****Reasons for Recommendation**

The development is recommended for approval, as the proposal is considered to be in accordance with Development Plan Policies of the South Downs Local Plan (2014-33).

General Comments

The application is reported to Committee at the request of the Parish Council.

Amendments to Plans Negotiated

Further information was required by HCC Highway Authority and a briefing note was submitted by the agent to cover the queries raised.

Site Description

The existing dwelling is a detached building, built using brick in a traditional cottage style. The property is owned and operated by National Trust Hinton Ampner and has been unused and has recently been renovated to allow the property to be reused.

The parking area to the rear of April Cottage is situated on a rural lane Hinton Hill. The existing use of the parking field is used by 1, 2 Hinton Hill Cottages, with access to 3 Hinton Hill Cottages, and as an overflow staff parking area for National Trust Hinton Ampner. There are also a row of 3 garages which are brick built and flat roof situated towards the rear of the parking area.

April Cottage front West boundary is adjacent to Hinton Hill. The East boundaries back on to shared parking area and woodland. The side South and North boundaries of the property back on to the side and rear gardens of the neighbouring properties.

The access to the parking area on the South boundary is adjacent to Hinton Hill. The rear North boundary of the parking area backs on to woodland. The side West and East boundaries back on to the side gardens of the neighbouring properties.

Proposal

(April Cottage) Proposed change of use from C3 to E(f) with associated parking

Relevant Planning History

None

Consultations

Hampshire County Council (Highway Authority) –

- Further information submitted

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- No objections subject to conditions (3, 4)

Service Lead – Public Protection (Environmental Health) –

- Requested further information regarding the use of the garden and noise.
- Officer comment: Further information was gained from the agent and as the facility will be used by newborns to 3 years and that the main usable garden area is right at the back of the site and it will be of least impact to the neighbours amenities in terms of noise, this request was not considered necessary.

Representations:**Hinton Ampner Parish Council**

The Council wish to object to the planning application with regards to road safety issues and traffic concerns and, having heard the significant concerns from residents, the PC would expect the planning officer to take these all into consideration when making a decision.

It was noted the comments on the planning portal that support the application are not local residents. Hinton Hill is essentially one lane – despite the approach from the A272 being two lanes it quickly narrows. In addition, some residents parking protrudes into the lane. There is concern – as noted in other objection letters – that this will cause congestion and need for cars to reverse etc to allow passing at busy times. The junction has a blind spot and this will also increase chances of accidents coming out of the lane. There is also concern about the blind corner at the top of the lane where cars cannot be seen until the last moment and the speed that cars will be driving especially with drop off and pick up times – as is witnessed at the other nursery within the parish.

The National Trust tenants and residents who currently live in the lane will lose use of the garages which they have relied on for years and there is concern that a family home will now become a commercial business taking away one of very few family dwellings.

There is concern about noise from the increased traffic. The Council wish that these issues be thoroughly looked at and would happily meet the planning officer on site to discuss the traffic issues. Due to the number of local objections, the Parish Council ask that it go to committee.

5 Objecting Representations received from different addresses within the Winchester City Council administrative area citing the following material planning reasons:

- Loss of parking for visitors
- Loss of rented garage (in tenancy agreement/lease)
- Not appropriate site for the use
- Additional cars/traffic
- Highway Safety
- Narrow roads

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- Cars parked on road from local residents and Wayfarer's Walk users cause obstruction

14 Supporting Representations received from different addresses within the Winchester City Council administrative area citing the following material planning reasons:

- Much needed resource
- New early years childcare provision hard to organise in rural areas
- Help parents return to work and get childcare support
- No provision in area/nurseries at capacity - strain on families
- Hummingbirds have been very respectful to neighbours at their current site
- will help families continue to live, work and be happy in the local area
- proposal feels well thought through, well-suited to the location
- parking for 8 cars on-site for nursery - with range of drop-off/pick-up times seems ample
- Valuable addition to local community
- May have to move from local area as no provision

Relevant Government Planning Policy and GuidanceRelevant 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), updated December 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 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

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- Strategic Policy SD9 - Biodiversity and Geodiversity
- Strategic Policy SD19 - Transport and Accessibility
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD25 - Development Strategy
- Development Management Policy SD43 - New and Existing Community Facilities

The South Downs Local Plan Review is currently being consulted upon (a Regulation 18 consultation). At this point in time the policies of the emerging plan do not carry weight in the decision-making process. The weight will increase as the plan progresses.

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 2026-2031 in December 2025, 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 Planning Principle 1
- Partnership Management Plan Planning Principle 10

Supplementary Planning Document

Parking SPD April 2021

Ecosystems Services TAN

Dark Skies TAN May 2021

Planning Considerations**Principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Paragraph 48 of the NPPF (2024) requires that applications for planning permissions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

Policy SD43 of the SDLP allows for new community facilities where:

- a) They demonstrate a local need;
- b) The scale of the proposed infrastructure is proportionate to the local area;
- c) There has been prior local community engagement;
- d) They are accessible and inclusive to the local communities they serve; and

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e) Appropriate consideration has been given to the shared use, re-use and / or redevelopment of existing buildings in the host community.

Policy SD43 of the South Downs Local Plan is applicable to the proposal for a children's day nursery as it relates to new community facilities. It is considered that the need for infant and toddler care has been established by the existing Hummingbirds nursery in Bramdean, which cannot fulfil demand for local parents. This is apparent from the number of letters of support.

Concern has been raised that the nursery would not be serving local children as there are not many children in the village, and most of the support letters are from families outside of the area /National Park so there isn't a local need. However, children often go to nursery close to where their parents live, or en-route to their workplace, rather than close to where they actually live. As this is an extension to an already thriving nursery in Bramdean it is considered that there is a proven need for the facility, which will re-use an underutilised building.

It is therefore considered that the proposed development is in accordance Policy SD43 of the SDLP 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

Policy SD5 of the SDNP Local Plan seeks to ensure that development make a positive contribution to the overall character and appearance of the area. Proposals should integrate with the landscape and should be sympathetic to the setting in terms of height, massing, roof form and materials.

The site currently consists of a dwelling that is owned by the National Trust and is no longer needed for ancillary accommodation by them. It has recently been refurbished and the applicants are seeking to change the use of the property to provide a small nursery for early years (birth - 3 years). There is an existing garden with patio, storage building and further small garden area beyond the storage building. The existing parking area will be upgraded and reconfigured, with the garages to be demolished, to allow for drop off spaces, parking for staff and visitors, parking spaces for adjacent dwellings that currently park there and overflow for the National Trust when needed. Pedestrian access will be from the parking area and children will be dropped off using the rear of the property.

There will be no physical alterations to the existing property, but the existing parking area will be upgraded using a geotextile grid base which is gravel filled. Parking spaces will be more formalised.

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There will be very little visual alterations from the proposal, with additional planting proposed along the parking area frontage and within the car park itself. A landscape condition (7) has been added to ensure details of hard and soft landscaping are submitted to ensure that species are native, and hardstanding is porous.

It is considered that the overall scheme is in keeping with the character of the area, it will have limited visual impact on the landscape and will increase biodiversity through the additional planting. Although there will be some intensification of use, this is restricted to limited daytime hours Monday-Friday, with any additional traffic being staggered for drop offs. Therefore, the proposal complies with policy SD4, and SD5 of 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 December 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.

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 site is sited close to a number of listed buildings, but none are immediately adjacent to the property. It is not in a Conservation Area.

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; SD12 and SD13 (South Downs Local Plan); NPPF (2024) Section 16.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant listed building consent for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special

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architectural or historic interest which it possesses. Considerable weight and importance must be given to this duty.

The NPPF requires local authorities to take account of all heritage assets in making planning decisions, with an aspiration to sustain or enhance their significance. Any harm to designated heritage assets must be justified or balanced by a wider public benefit. This harm is categorised as total loss, substantial harm, or 'less than substantial harm'. The greater the level of harm, the more substantial the benefits are required to justify it. This attracts great weight in the planning balance.

Policy SD12 and SD13 of SDLP ensure that development preserves and enhances heritage assets and their settings.

It is not considered that there will be any impact on the adjacent listed buildings or their setting as there are no material changes proposed to the land use of the site that would affect their heritage value. In addition, there are no changes to the existing access arrangements.

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 S66 of the P(LBCA) 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 nearest neighbouring properties to the site are the dwellings Pully Thatch and 1 and 2 Manor Farm Cottages to the south of April Cottage. There will be no physical changes to the property that will impact on neighbouring amenity, but in regard to noise and disturbance, it is noted that the nursery is only for infants from newborn to the age of 3 years old who will be at the nursery within day time hours. Parents drop their children at staggered start times and are generally between 8am to 8.30am with pick-up times between 4.30pm to 6pm. Visiting time is short, generally around 5 minutes per visit. The number of children will be between 6-15, with an average of 12 per day and a maximum of 6 staff (depending on the requirement each day), plus a cleaner between 6pm and 7pm. As the children are very young there will be limited noisy outside play compared to older children. Vehicle movements will be staggered and will be just for dropping off and picking up, with a dedicated wait zone. It is not anticipated that this will result in a detrimental impact on the amenities of the neighbouring properties. The rest of the car park will be used as it currently is for parking for the neighbouring dwellings and over-flow for the National Trust. HCC Highways have thoroughly assessed the application and, subject to conditions does not raise an objection (Conditions 3, 4).

The use and numbers of children and staff is secured by condition 6 and the hours of operation by condition 5.

Having regard to the above, the proposal is compliant with the NPPF and Policy SD5 of the South Downs Local Plan.

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**WINCHESTER CITY COUNCIL
PLANNING COMMITTEE****Sustainable Transport**

Access to the car parking area is from an existing access from the main road (Hinton Hill) This area is already used for the purposes of parking, and although there would be an increase in the car parking area itself, development of the site would result in less visual impact on the area as a whole, due to increased planting along the road boundary, removal of the garage block and a more uniform surface.

The proposed scheme will provide 21 'allocated' spaces with a further 3 'unallocated' spaces compared to 18 unallocated spaces. It is understood that the existing 18 unallocated spaces provide parking for neighbouring residential properties and National Trust staff and volunteers. Of the nursery spaces allocated, 4 spaces are retained for Nursery staff, 1 space is allocated as a 'disabled' space for nursery visitors and a further 5 spaces for Nursery visitors.

These further 5 spaces for nursery visitors will operate as 'flexible' spaces, as visitor numbers are anticipated to be low and will in practice amount to short periods where parking spaces are used for the purpose of pick up and drop off at nursery peak arrival and departure times i.e. 0800-0830 and 1630-1830.

Outside of these peak arrival and departure periods and throughout the evenings and weekends, those 'flexible' nursery visitor spaces will be available for use by neighbouring residential properties and for overspill parking by National Trust staff and volunteers. Hence, in practice, the proposed allocation of parking will maintain the equivalent parking provision for the existing users of the shared car parking area.

Site Access and Visibility

The access is as existing.

The parking, access and highway safety have been assessed by HCC Highways, after requesting further information a Traffic Note was submitted. The information provided demonstrated that suitable passing places are available to facilitate two-way movements on Hinton Hill at peak nursery arrival and departure times. These passing places are also shown to be suitable in terms of length, width, spacing and forward visibility to accommodate peak nursery related movements. Plans and drawings have been provided to justify this conclusion. In addition, the proposed arrangement for the shared parking area provides more spaces overall, with an improved design that has sufficient flexibility to accommodate the parking demand for the nursery and the equivalent existing parking provision for neighbouring residential properties and National Trust staff and volunteers.

HCC raised no objections subject to conditions requiring details of highway construction traffic routes and a parking management plan. (Conditions 3, 4)

Therefore, the proposal complies with policies SD19 and SD22 of the South Downs Local

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Plan and the degree of harm and general impact on highway safety, accessibility and parking is in line with Local Plan Policies.

Sustainable Drainage

It is proposed to use a sustainable drainage system to dispose of surface water to prevent surface water from entering the highway. Details of this have been conditioned (Condition 8).

These arrangements are acceptable and therefore the proposal complies with policy SD50.

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 application site is located within Dark Night Sky Zone E1a - Intrinsic Zone of Darkness. No external lighting has been proposed as part of the submission. However, should any lighting be required a condition has been applied to ensure that a comprehensive external lighting scheme is submitted and should be designed to avoid obtrusive light with the potential to adversely affect residential and ecological receptors. It adds that measures proposed to mitigate impacts on ecological receptors will overlap with measures for minimising the effects of lighting on the dark night skies in accordance with SDLP policy SD8 (Condition 9).

Ecology and Biodiversity**Biodiversity Net Gain**

The development is subject to the de minimis exemption (development below the threshold) Under 25 square metres.

There are no other ecology issues. Further planting will contribute to the biodiversity of the area.

Therefore, the proposal complies with policy SD02 and SD09 of the SDLP.

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

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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 considered to not 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, SD22, SD25 and SD43 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.

Recommendation

Permit subject to the following 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".

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

3. Prior to commencement of development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority to ensure appropriate routing/delivery schedules and ensure no obstruction to the public highway. Construction shall be carried out in accordance with the agreed details.

Reason: In the interests of highway safety.

4. Prior to commencement of development hereby permitted a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority to

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ensure sufficient parking spaces are provided and can be appropriately managed, and that passing places remain unobstructed. Development shall be carried out in accordance with the agreed details.

Reason: In the interests of highway safety.

5. The use hereby permitted shall not take place other than between the hours of:
- (i) 08:00 to 18:00 hours Mondays to Fridays
 - (ii) Not at any time on Saturday's Sundays, Bank or Public Holidays

No other activity other than set-up and clearing by staff shall take place between the hours of 07:00 and 19:00 Monday to Friday only.

Reason: To protect the residential amenities of the locality.

6. The site shall be used solely as a non-residential, early years day nursery (Use Class E(f)) for a maximum of 15 pupils and 7 staff members on site at any one time, and for no other purpose (including any other purpose within Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended), without the prior written consent of the Local Planning Authority.

Reason: To ensure the use remains appropriate to the site's rural location and in the interests of residential amenity, highway safety, and the tranquillity of the National Park.

7. A detailed scheme for hard and soft landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development of the parking area 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. Surfacing shall be porous and the use of grass fill option is recommended.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

8. No development approved by this permission shall be commenced until details of surface water drainage, which shall follow the principles of sustainable drainage as far as practicable, have been submitted to and approved by the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details. The surface water drainage system shall be retained as approved thereafter.

Reason: To ensure satisfactory surface water drainage.

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

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

Informatives**Crime and Disorder Implications**

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

Human Rights Implications

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.

Equality Act 2010

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

Proactive Working

The application required additional information and the Local Planning Authority worked with the agent to achieve a positive solution after amended plans were requested and received which were acceptable.

Plans Referred to in Consideration of this Application

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

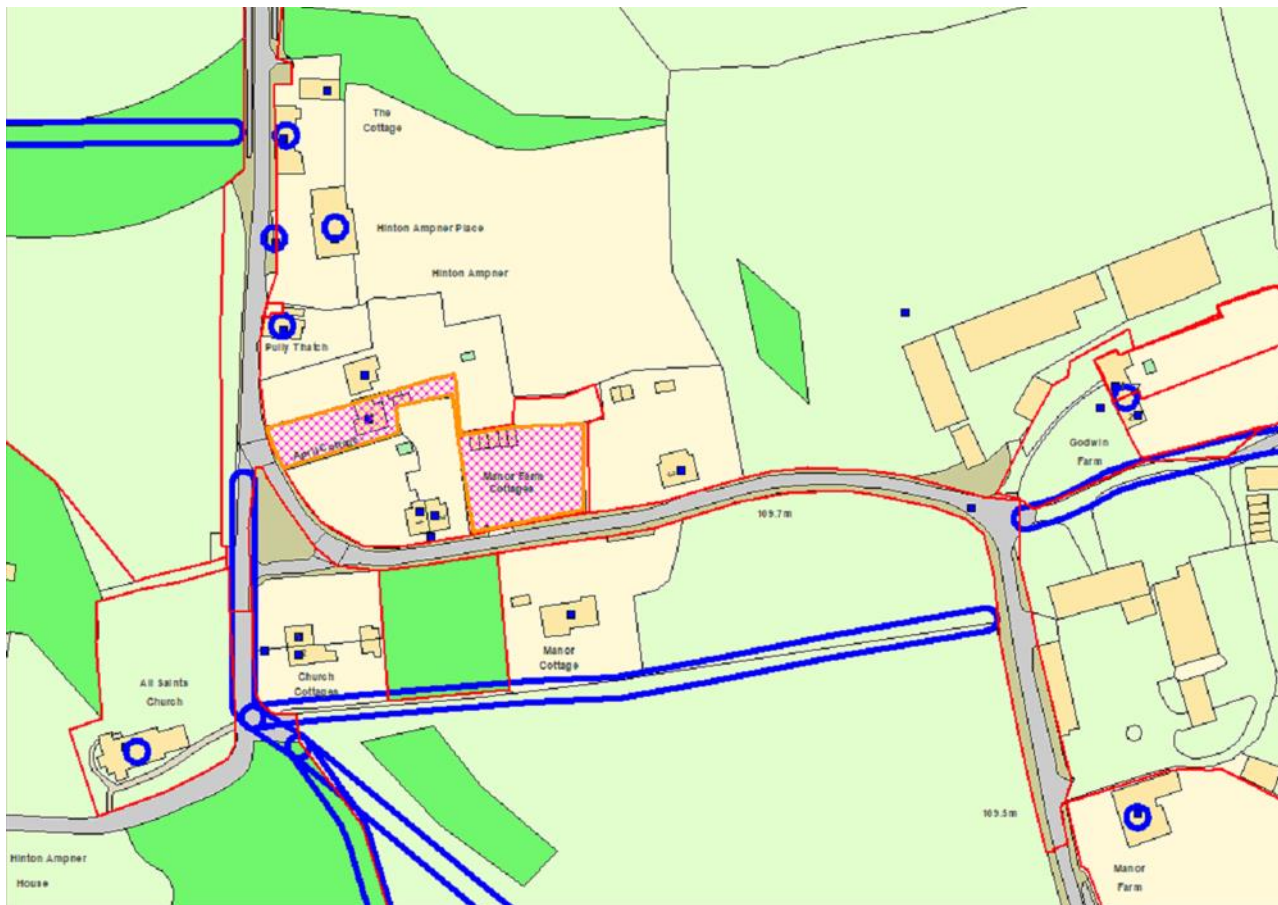
Plan Type	Reference	Version	Date Received	Status
Plans -	All proposed plans and elevations including proposed parking plan		01.12.2025	Approved

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

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SDNP/25/04792/FUL– (April Cottage) 1 Hinton Hill Cottages, Hinton Hill Hinton Ampner, Hampshire, SO24 0JZ

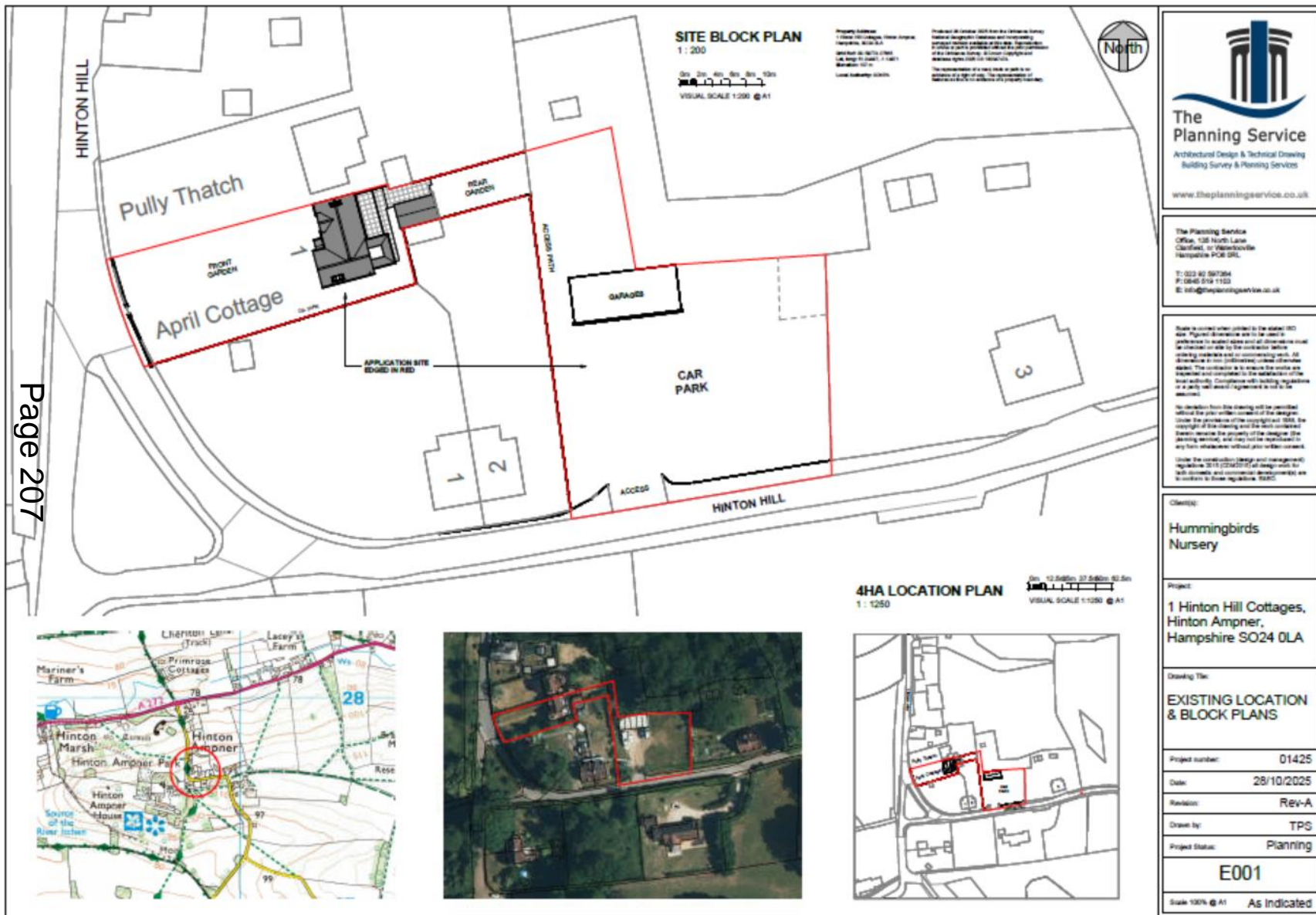
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Aerial Map of the Area

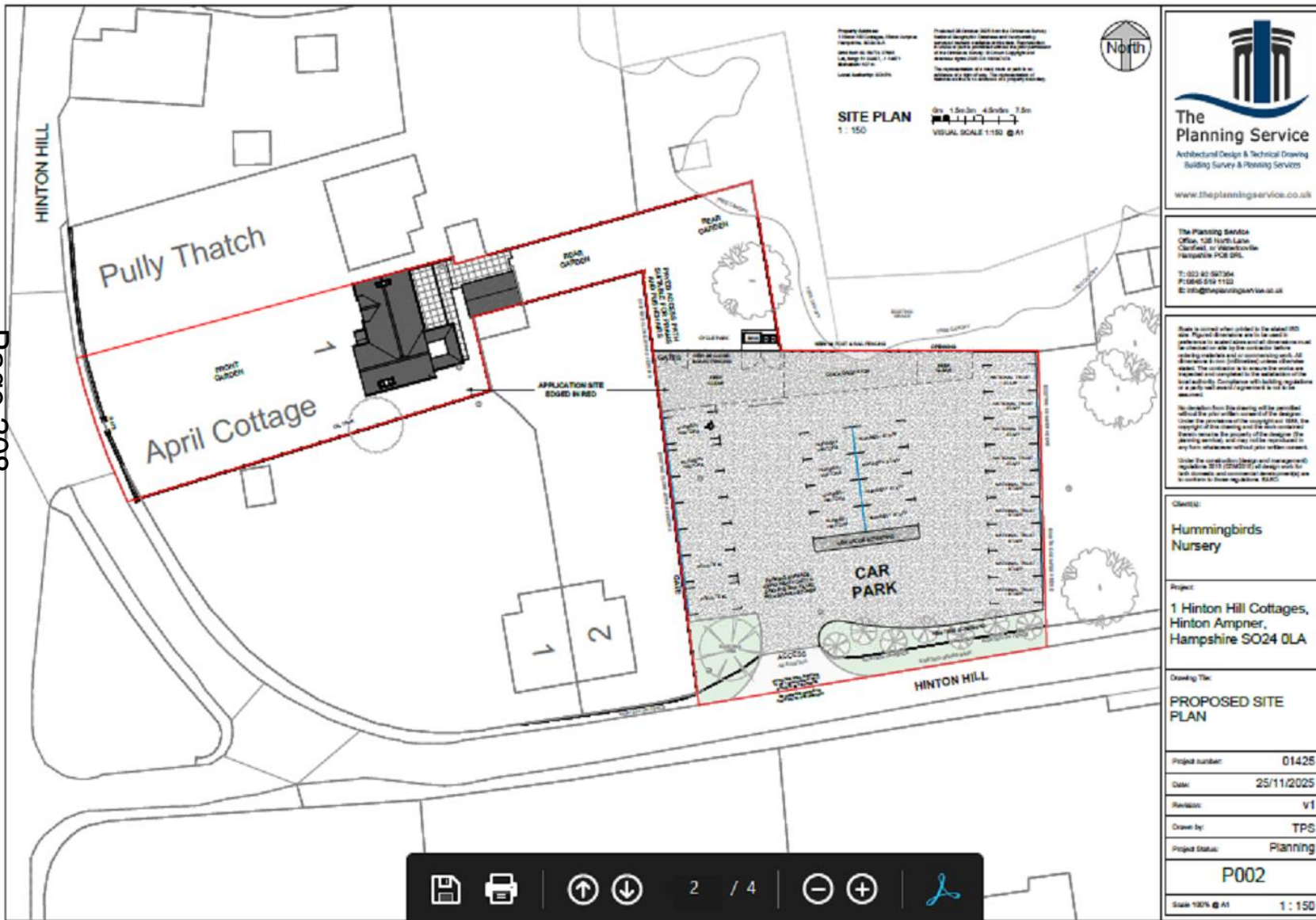


Proposed Site Plan



Proposed Site Plan

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Navigation icons: File, Print, Home, Previous, Next, 2 / 4, Zoom In, Zoom Out, and a blue cursor icon.

Elevations and Proposed Floor Plan

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0m 0.5m 1m 1.5m 2m
VISUAL SCALE 1:50 @ A1

0m 10m 20m 30m 40m 50m
VISUAL SCALE 1:100 @ A1

GROUND FLOOR AREA: 46.7M²
FIRST FLOOR AREA: 40.2M²
BRED: 9.9M²
TOTAL INTERNAL AREA: 96.9M²

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Plans are correct when printed to the stated A0/A1 size. Figure dimensions are to be used as reference to avoid confusion. All dimensions must be checked on site by the contractor before starting construction and in compliance with the dimensions in the (B) drawings unless otherwise stated. The contractor is to ensure the works are inspected and completed to the satisfaction of the local authority. Compliance with building regulations is a duty of all relevant agencies and is not to be assumed.

No liability from the drawing will be accepted without the prior written consent of the designer. Once the printed or digital copy of the drawing has been accepted, the designer retains the copyright of the drawing and the client retains the copyright of the project. The drawing is the property of the designer and may not be reproduced or used for any other purpose without prior written consent.

Under the applicable design and management regulations (DMD) all design work for building construction must comply with the requirements of these regulations. BRED

OUTBUILDING
1: 50

GROUND FLOOR
1: 50

FIRST FLOOR
1: 50

WEST ELEVATION
1: 100

SOUTH ELEVATION
1: 100

EAST ELEVATION
1: 100

NORTH ELEVATION
1: 100

CLIENT:
Hummingbirds Nursery

Project:
1 Hinton Hill Cottages,
Hinton Ampner,
Hampshire SO24 0LA

Drawing Title:
PROPOSED NURSERY

Project number: 01425

Date: 25/11/2025

Revision: V1

Drawn by: TPS

Project Status: Planning

P001

Scale 100% @ A1 As Indicated

April Cottage – Front Elevation



April Cottage – Front Elevation



April Cottage – Rear Elevation



Car Parking Area



Car Parking Area – Existing Garages



Car Parking Area – Existing Access



Car Parking Area



Car Parking Area



Car Parking Area/Existing Access

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