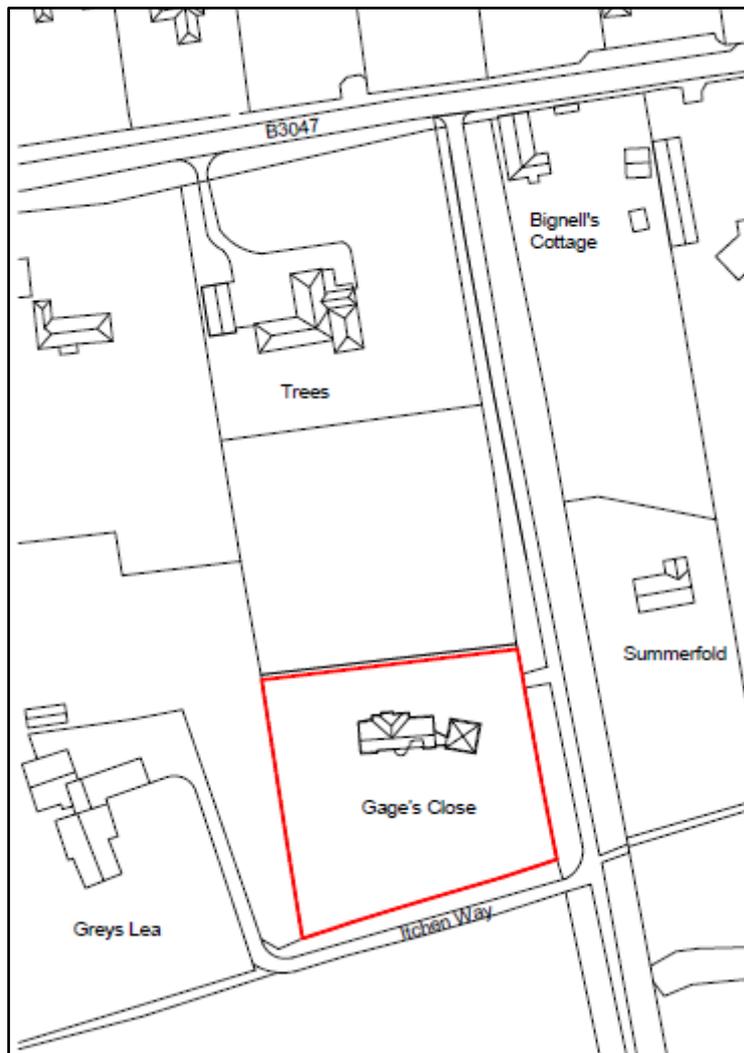


**Case No:** SDNP/21/02704/FUL  
**Proposal Description:** Erection of detached dwelling and garaging following demolition of existing dwelling and garaging.  
**Address:** Gages Close  
Main Road  
Itchen Abbas  
SO21 1AX  
**Parish, or Ward if within Winchester City:** Itchen Valley  
**Applicants Name:** Mr P Waldron  
**Case Officer:** Ms Charlotte Fleming  
**Date Valid:** 18 May 2021  
**Recommendation:** Application Approved  
**Pre Application Advice** Yes



## **Reasons for Recommendation**

The development is recommended for permission as it is considered that it will not harm the landscape character of the area in accordance with policy SD5 of the South Downs Local Plan 2014-33.

## **General Comments**

This application is reported to the Planning Committee due to the number of neighbour comments received and calls from Councillors.

## **Amendments to Plans Negotiated**

Further to assessment by the Design and Review Panel and WCC Urban Design Officer amended plans were received amending the design of the proposal. The amended plans were readvertised.

### **1 Site Description**

Gages Close is a detached two storey dwelling located off a private track outside the settlement boundary of Itchen Abbas and within the South Downs National Park.

The building is not listed or in a conservation area, however has an arts and craft style construction. The property is constructed of red brick with red tile hanging at first floor on the West and South Elevation, the East elevation facing the garage has decorative brickwork and wood beams, with the main roof being steeply pitched and tiled with a central gable. The dwelling has an attached double garage with a large gravel driveway at the front. The property is set into the site slightly, with a sunken garden to the west, the main garden slopes away to the south, with views towards the River Itchen (a SSSI) and a public footpath (Itchen Way). There are several large mature trees on the edge of the curtilage of the plot and known bats on site.

The property is accessed via a private protected lime tree lined track which serves 4 dwellings set off 'Main Road' road and is set a considerable distance from the main road. It sits quietly on its plot and is set behind mature landscaping. The immediate setting of the site is characterised by individual and substantial properties, with unique designs, typically set in mature and generous plots.

### **2 Proposal**

Erection of detached dwelling and garaging following demolition of existing dwelling and garaging.

### **3 Relevant Planning History**

SDNP/19/03758/HOUS - Erection of two storey and first floor side extensions  
STATUS: Approved 26th March 2020

SDNP/20/01769/LDP - Erection of single storey extensions to rear elevation, as shown on the submitted drawings  
STATUS: Approved 24th June 2020

SDNP/20/02482/LDP - Installation of 4no. rooflights on rear (southern) roof slope  
STATUS: Approved 21st July 2020

SDNP/20/03603/PRE - Demolition of existing detached dwelling and garage and erection of replacement detached dwelling.

STATUS: Advice given 12th February 2021

#### 4 Consultations

##### Itchen Valley Parish Council Consultee

Itchen Valley Parish Council Objects to the above Planning Application on the following grounds:-

1) The adopted SDNP local plan policy SD30 states that replacement dwellings should not exceed a 30% increase in GIA of the residential unit that existed on the 18th December 2002. This proposal would do that.

2) Gages Close is situated in a rural and historic part of Itchen Abbas. It is close to the site of Lord Grey's Cottage (Lord Grey was Foreign Secretary from 1905-1916, a knowledgeable naturalist who wrote a number of books about the wildlife in this part of the village). On the east side of the property there is an avenue of mature Lime Trees. On the southern boundary is the popular footpath that is part of the Pilgrims Way, the Itchen Way and the Alan King Way. The field to the south borders the River Itchen and overlooks this SSSI and European Special Area of Conservation. The modern design of the proposed building would detract from the rural and historic setting of the area. The Itchen Valley Parish Plan section on Housing states as the first objective to "Preserve the rural character of our area" The proposed design fails to do this.

3) The Itchen Abbas Village Design Statement Guidance (an approved SPD) states "Any future developments should be sensitive to the importance of preserving this heritage of attractive views especially from the footpaths." The design of the building in this application does not comply with this guidance. This is repeated in the proposed NPPF which requires development to be sensitive to the setting.

4) The Itchen Abbas Village Design Statement Guidance on roofs states that "pitch should not markedly vary from existing conventions" and that "flat roofs are unlikely to blend well". The proposed design ignores this guidance.

5) Gages Close is a brick and tile house in the Arts and Craft style that dovetails with and compliments the vernacular of the adjoining brick and tile properties of the area. To replace it with a modern stone and zinc property of ordinary design would be alien.

6) Gages Close is believed to have been built by public subscription in the 1930's as accommodation for a District Nurse by the Itchen Abbas District Nursing Association - a precursor to the National Health Service. To demolish and replace the house would destroy this historic association.

7) There are many mature trees on and adjacent to the site, including an attractive avenue of mature limes which is used to access the property, these were not surveyed. These trees should be included in an Environmental Impact Assessment to record the current wildlife of the area (not just bats).

8) Part of the application site is within an SSSI impact risk zone and this aspect is not addressed in the application.

9) There does not appear to have been a site notice displayed on the property or approaches to it.

##### *Revised scheme comments:*

We are making additional comments in response to the revised application We refer to our comments of the 21st June 2021 and repeat we would like to see the existing property retained for the reasons given. If policy does not permit this we comment that:-

- i) The revised design and siting is more acceptable than the design and siting in the application submitted 18th May 2021.
- ii) We support the efforts towards Biodiversity Net Gain and Dark Skies.
- iii) We support the aim for the building to operate on a carbon neutral basis.
- iv) We do not support the use of coloured Purbeck Stone as proposed. It is an alien finish to the locality.
- v) We request that a full environmental impact assessment be undertaken on the avenue of lime trees to the east of the site, and the footpath, field and Site of Special Scientific Interest to the South and note that this should include any detrimental effect to wild life caused by reflection from the glazing on the southern elevation.
- vi) We also suggest that a comprehensive construction process plan be agreed for all the work involved in order to mitigate the impact on neighbours, the lime avenue, the adjoining public footpath and Site of Special Scientific Interest.

### **WCC Service Lead: Community: Ecologist & Biodiversity Officer**

Further information required prior to determination

A Bat Emergence and Re-entry Survey & Mitigation Strategy 2021 was submitted as part of this application.

- Bat surveys were undertaken in 2019
- The following bat roosts were recorded in 2019: day roosts for at least 7 common pipistrelles, day roost of 2 soprano pipistrelles, day roost for 2 serotines and day roost for a Myotis sp. considered whiskered/brandt's.
- A EPS mitigation licence is therefore required from Natural England (NE).

In order for the LPA to be confident that NE will issue an EPS mitigation licence an updated bat survey is required prior to determination. This will determine whether the character of the roosts has changed in the last two years and therefore whether the suggested mitigation measures are appropriate.

The majority of the existing trees and hedgerows will be retained although some vegetation and grassland will be lost. These habitats are not included in the submitted report and therefore the ecological value and potential for protected species such as reptiles remains unclear.

A Biodiversity Enhancement Plan will be required to show a measurable net gain in biodiversity in accordance with the NPPF 2019.

The site boundary is located within close proximity to the River Itchen SSSI and therefore a Construction Environmental Management Plan (CEMP) will be required.

#### *Revised scheme comments:*

A Bat Emergence Survey First Visit (Dr.Jonty Denton, August 2021) has been submitted as part of the application. An updated emergence survey was undertaken on 26 July 2021 and both common pipistrelle and soprano pipistrelle were recorded emerging from the building.

The site is a confirmed day roosts for at least 7 common pipistrelles, day roost of 2 soprano pipistrelles, day roost for 2 serotines and day roost for a Myotis sp. A EPS mitigation licence is therefore required from Natural England.

In line with the SDNP Biodiversity Net Gain Technical Advice Note residential developments are required to use a metric to demonstrate a minimum of 10% biodiversity net gain. In this case the Small Sites Metric may be used.

**WCC Service Lead: Community: Historic Environment**

There are no designated heritage assets within the site or its immediate vicinity.

Gages Close is a detached dwelling located at the southern end of a tree-lined avenue, which historically connected the main road to a small chalk pit and a network of footpaths on the north side of the River Itchen. Historic map regression indicates that the house was built between 1911 and 1939; a fact confirmed by the tile detail set into the first floor of the north elevation, which gives a date of 1936. Gages Close is one of numerous large and detached houses which were built along the road between Itchen Abbas and Chilland, in the inter-war period.

Gages Close is built of brick and tile, with white-painted timber casement windows. There is a substantial chimney stack and half-hipped gable to the north elevation, whilst the east elevation has an exposed timber frame with herringbone nogging. The upper level of the west and south elevation are tile hung. The roof is tile-clad, with a second large stack in the centre. The garage is a modern addition, dating from the late-20th or early-21st century.

The current application to demolish and replace Gages Close has given rise to some public commentary which has raised the potential for the house to be considered a non-designated heritage asset.

In that context, an objective assessment of the house has been set out over page, using the Council’s criteria for local listing (Appendix C of the Local Plan Part 2), to establish whether the house is a non-designated heritage asset. Within the assessment criteria, the shaded values are weighted higher than those not shaded. In numerical terms the shaded values score 3 whilst the unshaded values score 1. In order to be considered for local listing, a candidate should score in at least 2 value areas, one of which should be in the shaded zone.

Criterion	Assessment	Score
Design Value	<p>The design of Gages Close has been inspired by the historic, vernacular architecture of the region; an inspiration which was transformed into the Arts and Crafts style of the years either side of 1900.</p> <p>However, at best, this is a very diluted and non-descript example of the 20th century neo-vernacular tradition in domestic architecture, which could only broadly be identified as a very late example of ‘Arts and Crafts’.</p> <p>There are some superficially eye-catching features, such as the timber frame &amp; nogging, substantial chimney stack and north hipped gable, and some sparse tiled kneelers and infill details. But otherwise, the predominant use of stretcher bond brickwork, the crude solid-course lintels, the plain slab chimney stacks, and the unrefined casement window frames betray the limited design value of the building.</p> <p>Overall, there is little in the way of attention to detail, decoration or craftsmanship that would elevate the</p>	0

	<p>architectural quality of this house beyond the ordinary.</p> <p>What is more, the house has been considerably altered by a series of extensions in the 20th century, which are of no particular architectural merit, which have compromised the historic integrity and appearance of the building. It's also worth noting that the design value of the building would be further diminished, were the extensions approved under 19/03758/HOUS and 20/01769/LDP to be implemented.</p> <p>This is also not a house which is identifiably local in origins or character. Instead, it would not appear out of place in many regions of southern England.</p> <p>On that basis, it is not considered that the design value of the house is sufficiently distinctive to the district to merit designation at a local level.</p>	
Group Value	<p>Gages Close is a detached property located in a secluded plot, surrounded by mature vegetation and trees. It does not enjoy any group value with any of the neighbouring houses, either in terms of their origins or appearance. Instead, each is appreciated as an individual.</p>	0
Archaeological Interest	<p>The house does not have any above-ground archaeological interest.</p>	0
Designed Landscape Structures	<p>The house does not form part of any locally-important designed landscape, park, or garden.</p> <p>Avington House and its registered parkland are located to the south of the site, however the substantial interposing distance and mature tree screening mean that there are no views towards the site.</p>	0
Landmark Status	<p>Gages Close is set back from the private access road behind a screen of mature trees &amp; vegetation, and also surrounded on all sides by other mature vegetation.</p> <p>Gages Close is not more prominent amongst the several other similarly-secluded, large, detached houses along the access road and nearby, and does not enjoy landmark status in that context.</p> <p>The house is visible when traversing the public footpath to the south of the plot, where the tiled roof and chimney can clearly be seen, along with glimpses of the upper storey. These views are incidental rather than intentional to the design of the house. It is also not seen to any particularly great advantage in these views, appearing as a fairly standard dwelling which lacks any particularly distinctive or remarkable architectural characteristics to the southern elevation. As described above, the most notable architectural features of this house are located on the north and east elevations. In other views, there is little to elevate the architectural interest or aesthetic appeal of the property beyond that of a typical, inter-war house.</p> <p>On that basis, the visibility of part of the house from the public footpath is not considered sufficient to lend the</p>	0

	house landmark status.	
Rarity	<p>There are numerous examples of mid-20th century neo-vernacular domestic architecture in Winchester and the South Down, due to the desirability of the area both historically and today. As one of many, the house is not rare.</p> <p>Public comment on the current application has highlighted a possible association with Ernest Charles Shearman, an architect who specialised primarily in churches, but designed a small number of private houses and lived in Winchester until his death in 1939. This association has not been substantiated by either or desk-based or archival evidence, although public comment on the application has also drawn parallels between Gages Close and a similar property, also attributed to Shearman without further evidence, called Thody's, on New Farm Lane in Alresford. If the latter is a recycled version of Gages Close, then neither house can be said to be a rare or singular piece of architecture. Meanwhile, initial inspection indicates that Thody's is less altered, and has the more accomplished and expressive architectural character of the two.</p>	0
Local Distinctiveness	As identified above, this is not a house which is identifiably local in origins or character. Instead, it would not appear out of place in many regions of southern England, as a mid-20th century neo-vernacular dwelling.	0
Documentary Evidence	Desk-based research has not revealed any specific references to the house in secondary publications. There are a small number of entries for Gages Close in the holdings of the Hampshire Records Office, however these appear to be typical building control records from the mid-20th century, and do not indicate that the house has any particular historic or architectural interest at a local level.	0
Historic Association	Desk-based research has not revealed any historic associations between the building, and figures or events of national / local interest. Public comment on the current application has highlighted a possible association with Ernest Charles Shearman, however this has not been substantiated by supporting evidence, or desk-based or archival research.	0
Social and Communal Value	Gages Close is a private residence, which is not a source of local identity, distinctiveness or social interaction. The house does not play a role in the collective memory of the Winchester area.	0

The assessment above has established that the house at Gages Close scores in none of the selection criteria. If further information and evidence comes to light about the building then it may merit re-assessment, but on the current basis, it is not considered to be a non-designated heritage asset, and would

not qualify for local listing. In that context, there is no need to comment further on the application proposals.

*Revised scheme comments:*

I gave some pretty clear / comprehensive comments on this scheme last year, and don't need to comment further - except in relation to the most recent public comment attributing the house to T Lawrence Dale.

As with previous assertions that Gages Close was designed by Shearman, the association with Dale has not been substantiated by either or desk-based or archival evidence, and I'm afraid Wikipedia is not considered a reliable resource simply because it can be edited by anyone at any time. What's more, the Dale article makes no reference to the site / building in question. That some of his work has been listed has no bearing on the particular architectural or historic value of Gages Close.

The assessment provided previously has established that Gages Close scores in none of the selection criteria for local listing. If further information and evidence comes to light about the building then it may merit re-assessment, but on the current basis, it is not considered to be a non-designated heritage asset, and would not qualify for local listing. In that context, there is no need to comment further on the application proposals.

**WCC Service Lead: Community: Landscape Officer**

We have reviewed the documents listed and have the following comments:

- Landscape and Visual Appraisal (LVA) including Figure 1 & 2 and viewpoints 1-6
- Proposed Site Plan P(0)100
- Planning Statement
- Design and Access Statement
- Garage Elevations P(0)230
- Existing Elevations P(0)250
- Proposed Sections P(0)301
- Proposed Site Sections P(0)101
- Soils Management Plan
- Proposed Elevations (N,S,E,W)

The LVA is comprehensive and has demonstrated that the site currently is well screened from the majority of viewpoints and that the proposed dwelling and garage will sit within this screened envelope. The design of the replacement dwelling although a departure in style to the existing will ultimately sit lower in the landscape (ridge height approx 1.3m lower at the highest point to that of the existing not taking into account the additional height of the existing chimneys) and gives the opportunity to use newer sustainable technologies in its construction. We note that the current dwelling has the lower part of the built form on the eastern side – this is reversed for the proposed scheme. LVA 5.13 refers to the Landscape Strategy Plan - GAGES001 however this is not submitted for review.

Could excavated soil be re-used on site saving on environmental cost of transporting and disposing of it off site?

The most prominent views are from the south back towards the site. Although Avington Park House and grounds lie to the south the River Itchen and tree cover screen views towards the site. Users of the PRow (Itchen Way) will be subjected to the greatest views however we do not feel that the design would

be detrimental to the character of the area with sufficient strategic planting to break up the southern elevation.

Arboricultural Implications Assessment (AIA) undertaken identifies work to some trees that are protected along the access track. All construction vehicles will require access to the site via this track, an additional method statement to be submitted for ingress and egress relating to how the roots will be protected against heavy construction vehicles. Reference is made in the LVA 5.11.

We are unable to provide a more comprehensive response on the proposals to the garden and any enhancements to the boundaries as these are currently only discussed in the LVA but no drawings, specification nor management plan have been submitted. If you are mindful to grant permission we request the following is conditioned:

- Planting plan including species, densities, sizes, locations
- Management Plan for a 5 years
- Enhancement of boundaries for all year round where views from neighbouring properties are most visible

Increased biodiversity through wildflower planting and native species especially hedgerows as indicated within the Planning Statement 5.49

*Revised scheme comments:*

In addition to the documents reviewed in our response on 7.6.21 we have also reviewed the documents listed and have the following comments:

- Winchester and Eastleigh Design Review Panel comment 13.7.21
- Design and Access Statement December 2021
- Addendum to Planning Statement November 2021

Our comments from June 2021 still stand along with:

- 2.1 of Addendum to Planning Statement states no issues regarding...trees...have been raised – this is incorrect, we raised concerns in previous response:

an additional method statement to be submitted for ingress and egress relating to how the roots will be protected against heavy construction vehicles

- Details of what will happen to the excavated soil have not been submitted – cut and fill plans and calculations to be submitted. Could excavated soil be re-used on site saving on environmental cost of transporting and disposing of it off site?
- Viewpoints for LVA to be updated with amended proposal to assess impact fully

We would recommend that the sustainability officer at SDNP is consulted to assess the merits of demolishing existing, removing material from site and re-building against retaining and installing innovative ways of providing energy on site and working with the dwelling in its current form. Is there potential for ground source heat pumps within the site, solar panels and improved insulation within the building.

We are still unable to provide a more comprehensive response on the proposals to the garden and any enhancements to the boundaries as there are no drawings, specification nor management plan submitted. We would require the following:

NOTE: Landscape Strategy Plan - GAGES001 still to be submitted for review.

- Planting plan including species, densities, sizes, locations
- Management Plan for 5 years

- Enhancement of boundaries for all year round where views from neighbouring properties are most visible
- Increased biodiversity through wildflower planting and native species especially hedgerows

### Design Comments

#### ***Design Review Panel***

The panel thanked the applicant for submitting a landscape impact assessment which has shown the main receptor points to be from the public footpath running east to west south of the Main Road properties and not from distant views across the valley.

Since the last DRP (Nov 2020) the architect had considered the aesthetics of existing properties in this part of the settlement which exhibit horizontal roofs and gables but is convinced that a curved roof form would fit much better into the wider landscape.

The architect had also looked at re-orientating the plan from north to south but this would result in too many split levels and views over the countryside to the south would be compromised.

The main elements of the proposed dwelling at right angles to one another have different plan depths and different roof forms. Aesthetically the design is unresolved and will not sit comfortably within its context. This has also resulted in aesthetically complicated elevations. Furthermore the flat roof single storey element (kitchen) does not appear as a consistent part of the overall design.

Overall the design lacks elegance order and consistency.

The proposed dwelling will be very noticeable from the footpath to the south and more so in winter months.

The Panel therefore consider that modifications to the design (particularly the floor plan and roof form) are necessary and that an amended scheme should be considered with construction details of the roof so that the LPA is confident that what is proposed is able to be built.

#### **WCC Service Lead: Community: Urban Design Officer** *comments on revised scheme:*

The latest drawings submitted are considered to be a step in the right direction and in a certain way they overcome some of the previous concerns raised. However, there are still improvements that could be done to the design in order to make it more acceptable.

When compared with the initial sketch presented on the last meeting, the current proposal re-introduced complexity to the design that is not desired neither expected. As an example, the single storey kitchen extension was unanimously agreed to work much better when brought into the main house built form. Also, the previous sketch looked more balanced in terms of proportions. It was harmoniously divided between three elements, the opaque building (eastern roof pitch), the visual permeable element (western roof pitch) and the single storey extension with a sedum roof which would be a great addition in landscape and biodiversity terms. The current proposal loses this simplicity where different elements actually integrate well by extending the

western roof above the single storey element and adding a small extension towards the other side (back kitchen/boot room).

Furthermore, it's a shame that the eastern wing roof is broken down in different roofs (lower and upper roof) when it could have been proposed as one single pitch to simplify and rationalise the design.

## **5 Representations**

72 letters of representation have been received regarding this development.

51 comments on the original submission

23 letters of objection from 17 households

25 letters of support from 19 households (and an additional 3 letters of support from: 1 undisclosed local address, and 2 from the applicants)

23 comments on the revised scheme (all comments except 2 (1 object, 1 support) are repeat representations – none have changed their views in light of the revisions)

10 letters of objection from 8 households

12 letters of support from 10 households (and an additional 1 letter of support from: 1 undisclosed local address)

In addition comments were received from the Upper Itchen Valley Society.

A summary of the comments are as follows:

### **Objections:**

#### *Design and character*

- Not compliant with Policy SD30/31 - loss of a small dwelling and has adverse impact on rural character and landscape
- Entirely out of keeping with historic setting of Itchen Valley
- Looks like a Doctors surgery/vets
- Overbearing and out of scale with surrounding area
- Architects have gamed the system to get the increase
- Proposed new house is 60% larger than the current property.
- Replaces a large home (parts unbuilt) with a larger home
- Paussivhaus does not have to look like a tin shed
- Design is against Itchen Abbas Village Design Statement
- Design and mass at odds with relevant policy
- Contemporary design done well and enhance a place-proposed is a burger drive through
- Beautiful design, wrong place
- Wrong materials
- No aesthetic appeal
- GIA of present property is 257sqm the proposed is 434sqm
- Out of keeping with neighbours
- Examples of the Landscape led approach in the D+A are in remote locations
- Replacement design looks like a Swiss chalet - inappropriate for the location
- Very close to neighbouring houses

#### *Landscape*

- Visible from Itchen Way
- Out of place with surrounding
- Major detrimental impact on the landscape quality of the area

- Proposed states it will be planted with trees and shrubs along the southern boundary with the contradictory aims of screening and 'providing views' to the south
- Does not "conserve and enhance the natural beauty, wildlife and cultural heritage of their areas"
- Itchen design statement is nearly 20 years old and could be considered dated in planning terms, however very few homes have been built therefore suggest aspirations of VDS remain
- Contra to Policy SD30 major visual impact on the area
- Already Radical designs in village which are unsuited to conservative landscape
- located along river Itchen and a well-used Public Footpath
- Horizontal light spill
- Impact on the Heritage setting of its immediate neighbours from the 17th century Bignell's Cottage to Sir Edward Greys Fishing Cottage
- Original conveyancing on the plot (1935) the vendor stipulated that no building should be constructed within 40ft (12m) of 'Avenue Road'

### *Sustainable*

- Existing home is made from local materials, which has not been retained.
- Why replace a perfectly good property - waste material/landfill
- Not locally sourced materials
- Silent on what net carbon effect of the demolition of the existing dwelling measured against the benefit of the proposed replacement
- Where is all the waste construction/demolition material going? - Carbon footprint.
- Passivhaus seems answer to help reduce carbon footprints, however it has not been set against carbon cost of demolition and transportation of materials
- Embodied carbon from demolition outweighs amount saved by building a new house
- RIBA says we should refurbish old buildings not replace them to make them energy efficient

### *Ecology*

- Trees on site should also be protected
- No protection for TPO trees on the access route during construction
- Significant heavy goods traffic impacting local habitat,
- Access over ancient single lane Lime tree Avenue - which has historical importance and should be valued and maintained
- The Tree Preservation Order was in recognition in direct response to a Planning Application No W/9980 to build on land between Trees and Gages Close, which was refused.
- The Lime Trees are the habitat of many species (including protected) which would be disturbed, if not lost, particularly during the demolition process.
- Two lorry movements to remove soil from the site which is an understatement, and would cause damage to the drive and thereby the root systems of the preserved Lime Trees.
- Ecology statement is incorrect - there are protected species on the site, particularly reptiles
- Lack of biodiversity plans submitted
- Concern over birds hitting large Southern windows
- Ecology has not yet been addressed
- Protective matting will stress the Lime trees
- Proximity to SSSI and historic fishing Cottage - would be disturbed through any development
- How long will this project take – will scare away animals

### *Loss of property*

- Possible community interest and history in existing property
- Loss of attractive property built in arts and craft style
- Loss of one of the outstanding properties in Itchen Abbas
- contributes to the unique sense of place
- Existing house has architectural merit
- Existing house capable of being lived in
- Erected by public subscription to house the district nurse - One should show gratitude to this given the present NHS
- House was built in 1936 in the Arts and Crafts style - believed to have been designed by the renowned architect Ernest Charles Shearman - Another property in Winchester (Stapenhill) designed by him was given protected status in 2009.
- Cottage admired as a quintessential country cottage in a perfect setting and in which its proposed replacement would be completely incongruous
- Thody's, New Farm Lane, Alresford was commissioned to be built in 1939 (the year of Shearman's death) replicating Gages Close which supports that Gages Close must have been of architectural merit.
- Shermans design has attractive brick work on the eastern elevation and the pitch the roof is unusually steep, with an attractive timber frame.
- Property has without doubt been neglected and needs remedial work
- Gages Close was built by public subscription for the District Nurse, which would further complement the view that the house was designed by an accomplished architect, using quality materials to blend into the rural position it occupies
- Established that T.Lawrence Dale was the architect – who is distinguished and house should be preserved not demolished
- One of the most important corners of Itchen Abbas from cultural heritage of the village
- Other properties within Itchen Abbas which could equally claim no architectural merit

### *Other*

- Principle of a replacement dwelling has been accepted within pre-ap advice given
- Setting a modern precedent for the area
- Canvased letters of support from friends not near the development
- Awful
- What is approved is not always built
- The Lime Tree Avenue (58 trees all TPOd) historically leads to Avington House, is crossed by a footpath (Pilgrims Way) from Winchester to Canterbury and also the Itchen Way - from which Gages Close is viewed
- Commercial project as submitted by a limited company rather than an individual
- Overlook the site and have not been approached for an opinion
- Couldn't see site notice
- No notification of revised plans
- Major revisions require a new application
- Should be reassessed by Historic Environment Officer

### **Support:**

#### *Design and character*

- Exciting and modern design
- Innovative
- Avoids pastiche design trap

- Well-designed family home
- Landscape led design - considered sensitivity in terms of setting.
- Impact of replacement dwelling will be softened by lowering roofline and curved roof.
- Clever use of materials integrating new development with surrounding
- Cutting edge design
- Architecture is brave
- Meets modern living requirements.
- Provides opportunity for future living
- Modern design not a pastiche of what has gone before
- No more impact on neighbouring properties than existing structure and screened by trees.
- Design whilst not 'picture postcard' effect of current house is not inappropriate.
- Revised plan has address the concerns raised, whilst maintains a beautiful design house sympathetic to surroundings
- Doesn't matter the size - just that the house is green

### *Landscape*

- Well designed to fit with Park and community
- Contemporary in design, however Itchen Abbas does not have a uniform historic house format
- Other properties styles on the footpath alone include original Georgian, mock Georgian, 1960's styles, New England type design, and Scottish baronial type.
- Brings modern and beautiful architecture to Itchen Valley
- Dark skies have been thought out - no roof lights/upward facing glazing, minimal windows on north, east and west, and automatic blinds on windows
- In time design will arguably blend in with its surrounds easier than a more traditional build
- Beautiful proposal locally - landscape led and blends with the natural downland
- Only material issue is impact of modern design on Park and adjoining public footpath - the design is comprehensive and acceptable
- Welcomed view along the footpath
- Improves the neighbours aspect
- Didn't think changes were needed, but they further ensure building is environmentally sustainable and fits within surroundings
- Other modern houses can be seen from the footpath (Shelley Close)

### *Sustainable*

- Passivhaus is excellent idea
- Sustainable design
- Good use of solar/thermal gain
- Highly sustainable and energy efficient Passivhaus
- Existing house is in-efficient and not sustainable for the future

### *Ecology*

- New planting helps enhance the biodiversity and green space
- Previous applications (e.g. Summerfold) have used the Lime access which were deemed acceptable
- Condition the construction activity to mitigate concerns
- Needs a comprehensive Construction Plan - to mitigate concerns

### *Other*

- The existing house has little architectural or historical merit

- Established residential plot - meets requirements of policies
- Any difficulties during construction will not be increased by this design and can be dealt with by conditions.
- Positive and progressive step forward in housing stock in Itchen Valley
- Longstanding family of the village
- The introduction of the railway in 1865 was the catalyst for a number of new dwellings in that period which would have appeared to be very contemporary.
- Most concerns are over change, often just relating to the construction period, not the completed building
- Opinions do not makes good planning decision
- Amendments requested by Parish and SDNP have now been met

### **UPPER ITCHEN VALLEY SOCIETY**

The Upper Itchen Valley Society has over 500 members, mostly living in the villages of Itchen Abbas, Abbots Worthy, Easton, Martyr Worthy and Avington. Gages Close is an important site in the Itchen Valley for historical and environmental reasons, and next to the St Swithuns Way footpath. Due to the special and unique character of the site, we feel strongly that this application should go before the Planning Committee for a full and detailed examination.

A response to the representations has been received from the applicant making the following points:

- Lived in the Itchen Valley for over 30 years - wish to remain part of the Community
- It is a sustainable Passive dwelling that is designed to complement this unique site. taking on board the Pre Application
- Taken on board comments from pre-application stage and the Design Review Panel
- Company as a registered self-builder
- Plan to live at Gages Close for many years, hence the ground floor living
- Home sits lower in the plot reducing the impact on the landscape and on neighbouring properties.
- Eco-credentials make it a house for the future
- Wish to enhance the view from the footpath - not erect intrusive fencing along the footpath.

## **6 Planning Policy Context**

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the South Downs Local Plan 2014-2033 and any relevant minerals and waste plans.

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

### National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

## **7 Planning Policy**

### Relevant Government Planning Policy and Guidance

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

### National Planning Policy Framework (NPPF)

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

- NPPF12 - Achieving well-designed places
- NPPF14 - Meeting the challenge of climate change, flooding and coastal change
- NPPF15 - Conserving and enhancing the natural environment
- NPPF16 - Conserving and enhancing the historic environment

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

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

The following policies of the South Downs National Park 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 SD6 - Safeguarding Views
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD12 - Historic Environment
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD27 - Mix of Homes
- Development Management Policy SD30 - Replacement Dwellings
- Strategic Policy SD48 - Climate Change and Sustainable Use of Resources
- Strategic Policy SD49 - Flood Risk Management

### Partnership Management Plan

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

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 3
- Partnership Management Plan Policy 30
- Partnership Management Plan Policy 50

## **8 Planning Assessment**

### Principle of development

The property is situated outside a defined settlement boundary (Policy SD25 of The South Downs Local Plan (SDLP)) where the principle of the proposed development must be a necessary use for the site in the countryside to comply with the park principles which are to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and to promote the understanding and enjoyment of the special qualities of the National Park to the public.

Public comments have given rise for the house to be considered a non-designated heritage asset. The property has been assessed by heritage officers at pre-application and application stage, and an objective assessment of the house using the Council's criteria for local listing was carried out, to establish whether the house is a non-designated heritage asset. With the conclusion that the house has been considerably altered by a series of extensions in the 20th century, which are of no particular architectural merit, and have compromised the historic integrity and appearance of the building. It's also worth noting that the design value of the building would be further diminished, were the extensions approved under 19/03758/HOUS and 20/01769/LDP to be implemented, therefore it is considered that Gages Close would not constitute a non-designated heritage asset worthy of protection (Policy SD12).

Part 1a of Policy SD30 relates to replacement dwellings outside settlement boundaries. However only dwellings with an internal floor area of 120m<sup>2</sup> or less are limited to an approximate 30% increase, to reduce the loss of small homes in the National Park (Paragraph 3.6 Extensions and Replacement Dwellings Technical Advice Note and paragraph 7.84 of SDLP). The existing property (in/excluding the approved extensions) is over 120sqm so the size restrictions do not apply in this case.

Part 1b of Policy SD30 states replacement dwelling should not be overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of loss of light and/or privacy.' Neighbouring properties are located at a sufficient distance from the proposal to not be adversely affected. The principle of the proposed development would therefore comply with both parts of policy SD30.

### Design, scale and impact on the character of the area

Para 127 of the NPPF requires Planning policies and decisions should ensure that developments: are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

The current application has gone through several variations, from the pre-application stage, two design review panels, follow up meetings between the applicant and Urban Design officer, and has led to this variation.

The current arts and craft style property, although housing some superficial eye-catching features, is not a house which is identifiably local in origins or character, which could lead to the acceptance of a modern style property on the site not being out of keeping with the area. The replacement dwelling is one and a half storeys and contemporary in design.

Itchen Abbas Village Design Guide, written in 2001, before the adoption of the South Downs National Park boundaries and policies, states that there is a high proportion of large houses on large plots, most gardens are enclosed by hedge, fences or walls, with trees concealing or softening the outline of buildings. There is a lattice of footpaths linking differing parts of the village (bound by tall hedges, post and rail and trees), which along with its gardens, trees and fields integrate the village fully with the landscape. Any future development should be sensitive to the importance of preserving this heritage of attractive views, especially from footpaths, this means careful siting, attention to roof heights and materials and to the retentions of trees. The majority of houses in the village are two storey detached with pitched roofs, and three or more bedrooms, with variation in materials and treatment, it also states that innovative designs of architectural merit or with high energy efficiency would be carefully considered. Buildings should be in scale with neighbouring properties and the position should be chosen to enhance visual variety, respect neighbour privacy and avoid undesirable effects on views and roof sizes should not appear to dominate the building or vary markedly from existing conventions.

It is considered that the proposed scale, design, siting and materials of the replacement dwelling are considered acceptable and would not result in a harmful impact on the landscape character or natural beauty of the South Downs National Park (Policy SD5) or the Village Design Statement. Details of materials have been secured by condition.

Gages Close is set back from the private access road behind a screen of mature trees and vegetation, and also surrounded on all sides by other mature vegetation. Gages Close is no more prominent amongst the several other similarly-secluded, large, detached houses along the access road and nearby. Users of the Public Right of Way (Itchen Way) will be subjected to the greatest views, when traversing the public footpath to the south of the site, the roof and chimney can clearly be seen, along with glimpses of the upper storey (Policy SD20). The design of the proposed is on the same footprint and lower than the current property, its replacement in terms of scale would not be detrimental to the character of the area, which is further supported by heritage and landscape, subject to strategic planting to break up the southern elevation (Policy SD4).

Proposals to the garden and any enhancements to the boundaries are only discussed in the Landscape Visual Assessment, but no detailed drawings have been submitted.

Details of hard and soft landscaping, planting and management plans have been requested by the Landscape Officer and will be secured by condition.

The replacement dwelling is set back from the road and given the design, scale and materials proposed, the development is not considered to result in a detrimental impact to the character of the area or the setting of the historical sites within close proximity of the site and would not conflict with the purposes of the South Downs National Park.

#### Impact on Neighbours

Neighbouring properties are located at a sufficient distance from the proposal to not be adversely affected in terms of loss of light, privacy or overbearing impacts. The development would therefore cause no significant harm to local residential amenity.

#### Dark Night Skies

The South Downs National Park is a designated International Dark Sky Reserve. Policy SD8 of the SDLP states that proposals must conserve and enhance the dark night skies and demonstrate that all opportunities to reduce light pollution have been taken. The proposed design has no upward facing windows, however contains some large amounts of glazing particularly on the south. Without any mitigation, such glazing would result in internal light spill which would have an adverse impact on the dark night skies, a condition has been applied to ensure that advised automatic blackout blinds are fitted to reduce light spillage from the proposed glazing, details of any external lighting at the site will also require prior approval to ensure there is no adverse impact on the intrinsically dark nature of the Park.

#### Impact on ecology

The Council's Ecologist acknowledges that a bat report has been submitted, however this was dated 2019 and need to be updated to be confident that mitigation is suitable and that Natural England will issue an EPS mitigation licence.

The proposal has a net gain in biodiversity interests through the installation of bat roosts, both within the replacement building and in trees within the site. The garage and the single storey element on the western elevation also have sedum roofs which provide important bio-diversity gains.

Although the majority of trees and hedgerow on the site are being retained which is supported, no biodiversity assessment of the surrounding land (regularly maintained domestic garden) has been submitted to assess for a loss of habitat. A Construction Environmental Management Plan (CEMP) is requested by condition submitted for prior approval, together with details of the biodiversity enhancement planting. Conditions have been applied to secure this.

#### Impact on trees

The centre of the site where the existing and proposed house is has surrounding decorative planting but no trees. The wider construction in the garden proposal will require only one Category C fruit tree to be removed together with part of a low-quality grouping of trees, none of which make a material or significant contribution to the landscape character of the area. All

other boundary hedgerows and trees (including those just beyond the site) would continue be retained and unaffected by the development.

The lime avenue accessing Gages Close is references in the Village Design Statement as a site of historic importance and is referenced as a private unmade road, servicing several dwellings, these are all protected Lime trees.

Concerns have been raised by neighbours over the construction traffic impact on the trees. The submitted arboricultural report states that tree protection barrier will be installed and a 'no dig' construction with load suspension systems to mitigate construction impact on tree roots. It should also be noted that the lime avenue is a private road, shared with 4 properties and a private access to the river, all of whom have regular deliveries to their houses and some of which have had significant construction carried out with previously no concerns raised over the construction traffic down the avenue.

It is considered that subject to conditions to ensure that the tree report and tree protection plan are adhered to the application complies with Policy SD11.

### Highways

A separate garage (Policy SD2) is proposed to the north west of the replacement dwelling, with a similar footprint to the existing double garage. Ample parking/turning space is provided via the garage and driveway. No alterations are proposed to the existing access (Policy SD21). The development is therefore not considered to result in an adverse impact on highway safety.

### Sustainable development

Policy SD48 (3) requires all development proposals to demonstrate proportionately how they address climate change, mitigation and adaption through the on-site use of zero carbon/low carbon technologies, sustainable design and construction and low carbon materials. A condition has been applied to ensure that the requirements of policy SD48 are met.

### Drainage

The site lies in a very low risk area so is not at risk of flooding from rivers or the sea, and has a medium risk surface water flooding or flow routes. A condition has been applied to ensure that details of foul and surface water drainage are submitted for prior approval as these were not included in the submission.

## **9 Conclusion**

The application is therefore considered to be acceptable and is recommended for approval.

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

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

1. The development hereby permitted shall be 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. The existing dwelling on the site known as Gages Close shall be demolished and all resultant materials removed from the site prior to occupation of the replacement dwelling hereby permitted.

Reason: To safeguard the landscape character of the South Downs National Park.

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

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

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

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

6. No development shall take place until full 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:

Proposed finished levels or contours, in comparison to existing ground levels, including the damp proof course and ground floor of the proposed buildings, and the relationship to the levels of adjacent buildings, together with contours to be formed and earthworks to be undertaken;

- o All boundary treatment;
- o Hard surfacing materials;
- o Minor artefacts and structures (refuse or other storage units, signs and lighting etc);

Soft landscaping works shall include:

- o planting plans (for new trees, hedges and other planting);
- o written specifications (including cultivation and other operations associated with plant and grass establishment);
- o schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- o implementation programme.

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

7. Details of the proposed landscaping boundary treatment species to be used to screen the wall and any other boundary enhancements shall be submitted to the Local Authority and agreed in writing before development can commence. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the completion of the development. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

8. Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This should outline how construction will avoid, minimise or mitigate effects on the River Itchen SSSI. This shall include normal working hours only (to minimise noise and lighting disturbance), storage of any equipment/machinery/materials or chemicals away from where spills could enter the SINC, and measures to control dust and litter.

Reason: To ensure the integrity of the River Itchen SSSI.

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

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

10. A Biodiversity Gain Plan, map and metric shall be submitted to, and approved in writing by the Local Planning Authority prior to the

commencement of the development. This shall show a 10% measurable net gain in biodiversity. These biodiversity enhancements shall be sited prior to the development coming into its intended use, retained and managed according to these recommendations thereafter.

Reason: To ensure a net gain in biodiversity in accordance with the NPPF 2021 and the SDNP Biodiversity Net Gain Technical Advice Note 2022.

11. The measures to reduce light spillage from the proposed glazing shall be installed and operated in accordance with the approved details contained within the Design and Access Statement dated December 2021 and retained thereafter at all times.

Reason: To minimise light intrusion in the South Downs National Park which is a designated International Dark Sky Reserve in accordance with policy SD8 of the South Downs Local Plan (2014-33).

12. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Assessment and Method Statement (reference JFA0275 V2 dated May 2021) and Tree Protection Plan (reference JFA0275 dated April 2021 ) prepared by James Fuller Arboriculture and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on site.

a. 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 the Arboricultural Impact Assessment and Method Statement and Tree Protection Plan as referenced above. Telephone 01962 848403.

b. The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848403.

c. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Assessment and Method Statement.

d. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Assessment and Method Statement shall be agreed in writing by the Local Planning Authority.

e. A pre commencement meeting will be held on site before any of the site clearance and construction works begin. This will be attended by the site manager and the Local Planning Authority Arboricultural Officer.

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

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

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

14. Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleared sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

15. Prior to the commencement of the development hereby permitted detailed information in a design stage sustainable construction report in the form of:

- o design stage SAP data
- o product specifications
- o building design details
- o layout or landscape plans demonstrating that the dwelling has:
  - reduced predicted CO2 emissions by at least 19% due to energy efficiency and;
  - reduced predicted CO2 emissions by a further 20% due to on site renewable energy compared with the maximum allowed by building regulations
  - EV charge points for every dwelling with suitable parking space
  - separate internal bin collection for recyclables
  - private garden compost bin and providing evidence demonstrating:
  - sustainable drainage and adaptation to climate change
  - selection of sustainable materials
  - shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.

16. The recommendations within the Bat Emergence and Re-entry Survey & Mitigation Strategy 2021 sections 4.8 to 5.0 shall be adhered to throughout all phases of the development and the mitigation and enhancement features shall be sited prior to the development coming into its intended use and retained thereafter.

Reason: To safeguard protected species and maintain biodiversity in accordance with Strategic policy SD9.

17. A Phase 1 Ecological Assessment shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. The requirements and recommendations within shall be adhered to throughout all phases of the development and the mitigation and enhancement features shall be sited prior to the development coming into its intended use and retained thereafter.

Reason: To safeguard protected species and maintain biodiversity.

## **11 Informatives**

### **1. Crime and Disorder Implications**

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

### **2. 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.

### **3. 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.

4. In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

5. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.

6. Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000 and Wildlife and Countryside Act 1981 (as amended) and in particular to Sections 1 and 9.

These make it an offence to:

- kill or injure any wild bird,
- damage or destroy the nest of any wild bird (when the nest is being built or is in use),
- damage or destroy any place which certain wild animals use for shelter (including all bats and certain moths),
- disturb certain wild animals occupying a place for shelter (again, all bats and certain moths).

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact Natural England for further information (tel: 0845 601 4523).

7. At no stage during the works should the public right of way be disturbed, restricted or obstructed at any time and while the development is underway, safe & convenient public access must be available at all times across the full width of the path. The route must not be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals during any works, and should be protected throughout the course of development by clear demarcation including signs, fencing or surfacing as necessary.

If during construction closure of the public right of way is considered necessary for public safety, this can be applied for, at a cost, from the County Public Rights of Way team.

If the route surface is considered damaged as a result of the development then the applicant will be liable and will be required to make good the surface to a standard satisfactory to the County Public Rights of Way team.

## 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 - LANDSCAPE APPRAISAL	FIGURE 1		17.05.2021	Approved
Plans - VISUAL APPRAISAL	FIGURE 2		17.05.2021	Approved
Plans - VIEWPOINTS 1 -2	FIGURE 3		17.05.2021	Approved
Plans - VIEWPOINTS 3 - 4	FIGURE 4		17.05.2021	Approved
Plans - VIEWPOINTS 5 - 6	FIGURE 5		17.05.2021	Approved
Plans - LOCATION PLAN	P(0)000		17.05.2021	Approved
Plans - SITE PLAN	P(0)001		17.05.2021	Approved
Plans - PROPOSED GARAGE PLANS	P(0)120		17.05.2021	Approved
Plans - EXISTING PLANS	P(0)150		17.05.2021	Approved
Plans - GARAGE ELEVATIONS	P(0)230		17.05.2021	Approved
Plans - EXISTING ELEVATIONS	P(0)250		17.05.2021	Approved
Reports - ARBORICULTURAL METHOD STATEMENT			17.05.2021	Approved
Reports - BAT EMERGENCE AND RE-ENTRY SURVEY & MITIGATION STRATEGY			17.05.2021	Approved
Reports - ECOSYSTEMS SERVICES STATEMENT			17.05.2021	Approved
Reports - LANDSCAPE AND VISUAL APPRAISAL			17.05.2021	Approved
Reports - NOISE IMPACT ASSESSMENT			17.05.2021	Approved
Reports - PLANNING STATEMENT			17.05.2021	Approved
Reports - SOILS MANAGEMENT PLAN			17.05.2021	Approved
Reports - LANDSCAPE APPRAISAL AND DARK SKIES ASSESSMENT			17.05.2021	Approved
Reports - TREE SURVEY REPORT			17.05.2021	Approved
Plans - AMENDED GROUND FLOOR PLAN	L(0)110		06.12.2021	Approved

Plans - AMENDED FIRST FLOOR PLAN	L(0)111		06.12.2021	Approved
Plans - AMENDED ROOF PLAN	L(0)112		06.12.2021	Approved
Reports - AMENDED - DESIGN & ACCESS STATEMENT			06.12.2021	Approved
Reports - ADDENDUM TO PLANNING STATEMENT			06.12.2021	Approved
Plans - Proposed North West View	SK(0)009		06.12.2021	Approved
Plans - Proposed North West View	SK(0)010		06.12.2021	Approved
Plans - Proposed West View	SK(0)011		06.12.2021	Approved
Plans - Proposed View from end of garden	SK(0)012		06.12.2021	Approved
Plans - Proposed View from entry gate	SK(0)013		06.12.2021	Approved
Plans - Proposed Elevations (North and South)	SK(0)014		06.12.2021	Approved
Plans - Proposed Elevations (East and West)	SK(0)015		06.12.2021	Approved
Bat Emergence Survey First Visit (Dr.Jonty Denton, August 2021)			28.02.2022	Approved

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