

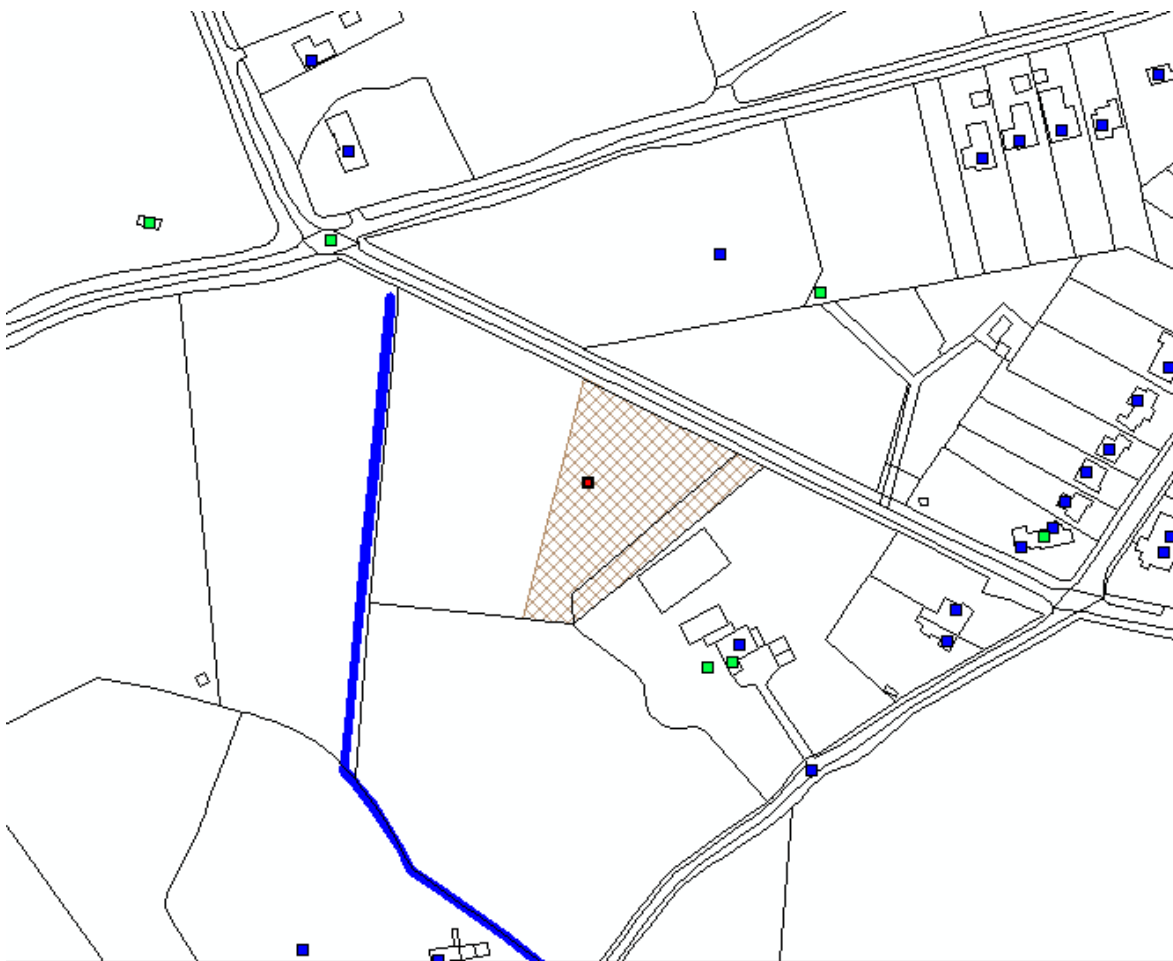
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 22/00722/OUT
Proposal Description: Facilitation of Land into Five serviced plots for Custom/Self Build housing
Address: Land South Of School Lane Denmead Hampshire
Parish, or Ward if within Winchester City: Denmead Parish Council
Applicants Name: Amy Hopkins
Case Officer: Jordan Wiseman
Date Valid: 1 April 2022
Recommendation: Application Refused
Pre Application Advice Yes

Link to Planning Documents

22/00722/OUT

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



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Reasons for Recommendation

The application is contrary to policies MTRA4 of the Winchester District Local Plan Part 1 as it would result in new dwellings in a countryside location with no justification.

The proposal is contrary to policy DM16 and DM23 of the Winchester District Local Plan Part 2 in that the proposal would fail to respond positively to the character of the area resulting in visual and physical harm to the surrounding countryside.

The proposed development is contrary to Policy CP15 and CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to protect and enhance biodiversity across the District by failing to make appropriate mitigation in regard to increased nitrates into the Solent SPAs. As a result, it is considered that the proposed development would result in significant harm to the Special Protection Area (SPA) and the species that it supports, therefore contravening the legal requirements of the Wildlife and Countryside Act 1981, the Habitat Regulations.

General Comments

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

This application is the resubmission of a previously refused application under case reference 21/00465/OUT. This previous application was refused by the planning committee on the 20th of July 2021. The previous decision to refuse was not appealed by the applicant.

There are no differences between the two schemes. The previously refused scheme was an outline application for 5 self-build dwellings and the current scheme for consideration, albeit with a slightly different proposal description, is for the 'Facilitation of Land into Five serviced plots for Custom/Self Build housing'. The layout and size of the proposed plots has not changed, however the applicant has provided revised supporting information regarding self-build plots compared to the previous application.

Amendments to Plans Negotiated

None

Site Description

The site is located to the south of School Lane approximately 80m beyond the settlement boundary of Denmead. The site is approximately 0.4ha in size. There are a number of mature trees along the boundaries. There is a slight level change from north to south. There is an existing access via a 5 bar gate onto School Lane. The site currently has an established agricultural use though is understood to be being used as a domestic garden area for the applicant.

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Proposal

The proposal is for the Facilitation of Land into Five serviced plots for Custom/Self Build housing. The site is within a rural location outside of the settlement boundary of Denmead. Means of vehicular access would be via a proposal to adapt the existing access onto School Lane. The application site is approximately 29 meters away from Anthill Cottage, 83 meters from Mayflower Cottage and 85 meters from Anthill Common Cottage which are the nearest residential dwellings all to the south east. There is a public right of way which is approximately 63 meters away to the west.

Relevant Planning History

21/00465/OUT - Outline application for 5 self build dwellings - Refused

Consultations

Service Lead for Community

Drainage

No objection

Hampshire County Council Highways Authority

Lack of information to provide comment, further information requested

Awaiting final comment (to be confirmed via update sheet)

Service Lead for Community

Ecology

No comment received

Service Lead for Built Environment

Strategic Planning

Objection

Representations:

Denmead Parish Council

Object (See Appendix 1)

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

- Encroachment into the countryside
- Not truly affordable housing
- Increase in traffic
- Outside of settlement boundary
- Loss of agricultural land
- Overdevelopment of the site
- Infrastructure is insufficient in the area to support more housing
- Access road is unsuitable

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- Indicative design
- Not a sustainable location
- Impact on ecology
- Contrary to the character of the area

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

- Good size dwellings
- Good layout
- Good design
- In Keeping with character of the area
- Not overdeveloped
- Central government supports self-build
- Will improve biodiversity
- Meets the criteria for small sites
- More affordable than other market housing
- More energy efficient
- Would meet a need
- Would help local people stay in the area.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

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

Section 16 of the National Planning Policy Framework 2021

National Planning Practice Guidance

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Planning Obligations

Use of planning conditions

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

Policy DS1 – Development Strategy and Principles

Policy MTRA1 – Development Strategy Market Towns and Rural Areas

Policy MTRA2 – Market Towns and Larger Villages

Policy MTRA3 – Other Settlements in the Market Towns and Rural Area

Policy MTRA4 – Development in the Countryside

Policy CP1 – Housing Provision

Policy CP2 – Housing Provision and Mix

Policy CP4 – Affordable Housing on Exception Sites to Meet Local Needs

Policy CP10 – Transport

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Policy CP11 – Sustainable Low and Zero Carbon Built Development
Policy CP13 – High Quality Design
Policy CP14 – The Effective Use of Land
Policy CP15 – Green Infrastructure
Policy CP16 - Biodiversity
Policy CP20 – Heritage and Landscape Character

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

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

Denmead Neighbourhood Plan

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

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Air Quality SPD September 2021
Residential Parking Standards December 2009
Winchester Conservation Area Appraisal
Winchester Conservation Area Review
Winchester Conservation Area Strategy

Other relevant documents

Climate emergency declaration carbon neutrality action plan 2020-2030
Statement of Community Involvement 2018 and 2020
Biodiversity Action Plan 2021
Historic England Guidance
Constructive Conservation in Practice 2008
Constructive Conservation Sustainable Growth for Historic Places 2013
Conservation Principles Policies and Guidance 2008
Historic Environment Good Practice Advice in Planning: Published 30 June 2020
Winchester Future 50 Conservation Area Project 2018-2020

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Principle of development

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

The development is not situated within the settlement boundary of Denmead, therefore countryside policies apply.

Policy MTRA2 allows for development within settlement boundaries of the Market Towns identified within the policy, of which Denmead is one. As the proposal would be outside of the settlement boundary it is not considered that the proposal would meet the criteria of this policy.

Policy MTRA3 allows for small infill development along continuously developed road frontages within settlements that have no clearly defined settlement boundary or to meet a community need. Sites that would meet a community need are usually identified through the Parish Council and Neighbourhood plan and usually regard affordable housing under policy CP4. It is noted that the applicant has raised self and custom build dwellings as a more affordable equivalent to general market housing. Notwithstanding this, it is considered that self and custom build are not affordable housing as defined within the local plan and therefore cannot be considered to be in accordance with current local plan policy. This policy is not therefore relevant.

It is also acknowledged that self and custom build is a growing area of development that central government is keen to expand. As such it is expected that appropriate policy addressing the need for self and custom build will be incorporated within the forthcoming Local Plan.

The settlement boundaries were confirmed in 2017 with the adoption of the local Plan Part 2. As such there are up to date policies that clearly indicated that self and custom build dwellings are considered market housing. As the council have a housing land supply in excess of 5 years the tilted balance required by the NPPF is not triggered in this case and the proposal does not meet the criteria of MTRA3.

Policy MTRA4 restricts development in the countryside to that which has an operational need (such as agriculture), for the reuse of existing buildings for business uses or for low key tourist accommodation. Exemption sites for affordable housing are also permitted in line with policy CP4 discussed above. The proposed development does not comply with any of these criteria.

It is therefore considered that the proposal would not meet the current Local Plan policies.

The Denmead Neighbourhood Plan was adopted in 2015. The Denmead Neighbourhood Plan also supports the development strategy focussing development to within the settlement boundary unless it has a need to be located within the countryside and falls within those uses outlined in policy MTRA4 and CP4. The site is Greenfield land the development of which should not be prioritised over land within settlement boundaries and brownfield land as set out in the NPPF and the development plan.

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It is therefore considered that there is a fundamental objection in principle to the proposal in relation to policy MTRA4 of Local Plan Part 1 and the Denmead Neighbourhood Plan.

Assessment under 2017 EIA Regulations

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

Impact on character and appearance of area

The proposal is for outline permission for 5 self/custom build dwellings. An indicative layout has been submitted indicating that 5 dwellings could be accommodated on the site. However, it is considered that the general character of the area is for large dwellings in generous plots with a very loose grain. The indicative layout shows that the proposed layout and density would be more indicative of development within the settlement boundary rather than a rural development.

It is not indicated how many of the 5 plots would be 2 or 3 bedroom dwellings in order to create an acceptable housing mix in accordance with policy CP2. However, as the details of the proposal are indicative only, a future Reserved Matters application would have ensured that three of the plots are of 2 and 3 beds to meet the criteria of CP2 had the proposal been considered acceptable in other areas.

No details on design/materials for each plot have been submitted with this application and so it is not possible to assess this at this outline stage. It is suggested within the submitted planning statement that a design guide would be produced within a future reserved matters application so that this could be properly assessed. It is considered appropriate that should the application have been considered acceptable in other areas a condition would have been recommended for material samples to be submitted at the detailed stage of development.

Notwithstanding the controls that could be applied through conditions to secure the detail of development, the proposals would introduce a suburban form of development in an otherwise countryside and undeveloped location which would cause significant and substantial harm to the character and visual amenity of the area. The proposal is disjointed from the existing settlement and is out of keeping with the patterned development of housing in the area. It is therefore considered that the proposal would be contrary to policies DM15 and DM16 in that the proposal would fail to respond positively to the character of the area by way of its siting, layout and the appearance of built form.

There is a public right of way that arches around the site from north to south. It is noted that the site is screened from the south however there are views into the site from the west. Planting schemes could benefit the site and the wider impact of the proposal from the long and medium distance views from the public right of way. However it is considered that the development in this countryside location could not be satisfactorily mitigated entirely by planting, and would result in a permanent adverse visual impact on the intrinsic value of the countryside resulting in physical and visual harm to the rural

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character of the area by introducing incongruous domestic development contrary to policy DM23.

Based upon the above assessment it is considered that the proposed development is contrary to policies DM15, DM16 and DM23 of the Winchester District Local Plan Part 2.

Development affecting the South Downs National Park

The application site is located 0.86km from the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 176 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 found.

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

Historic Environment

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

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

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Neighbouring amenity

The proposed development will be visible from the neighbouring property to the south east of the application site (Anthill Cottage). Due to the distances involved it is not considered that the proposal would result in overbearing or loss of light. The property to the south east (Anthill Cottage) is the only adjoining neighbouring site, It has an extensive garden with primary amenity areas adjacent to the boundary shared with the application site. It is noted that there is an existing line of trees that would provide some screening. Should the application have been considered acceptable conditions for additional screening to prevent overlooking would have been recommended.

Therefore the proposal complies with policy DM17 of the Winchester District Local Plan Part 2.

Sustainable Transport

Hampshire County Council as Highway Authority have objected to the application and requested further information on visibility splays and TRICs data. The applicant subsequently submitted additional information in order to address this objection. The LPA are awaiting further comment from the Highways Authority in response to this additional information and Members will be updated on this matter via the update sheet. It is likely that a reason for refusal will be included for inadequate details of the access which will therefore lead to detrimental impact on highway safety.

Ecology and Biodiversity

There is an existing line of mature hedging along 2 boundaries of the site which is considered to be of moderate potential for bats and dormice and negligible potential for newts. As such a series of mitigation measures have been proposed which are considered to be acceptable. Should the application have been considered acceptable in principle conditions regarding external lighting, biodiversity management and compliance with the recommendations within the ecology report would have been recommended.

There is a significant oak tree on the site as well as a number of other trees within the boundary hedge to the south east. No tree information has been submitted however the indicative layout has shown that the Oak would be retained. It is considered that should the application have been considered acceptable in all other respects, that the tree could be conditioned to be retained.

Nitrates

The proposed development is within Winchester District where foul water is distributed into the European designated areas Solent SPAs/Ramsar sites via water treatment plants. In accordance with advice from Natural England and as detailed in Policy CP16 of the Winchester City Council Local Plan Part 1 Joint Core Strategy a net increase in housing development within Winchester District is likely to result in impacts to the integrity of those sites through a consequent increase in Nitrates. A nitrate figure has not been provided and so an assessment with regard to the developments potential impact upon the Solent SPAs cannot be undertaken. It is therefore considered that the proposal would result in harm to the Solent SPAs contrary to policy CP16 and the Habitat regulations 2017 (as Amended).

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Sustainable Drainage

As the application is for outline permission only no details of drainage have been submitted. The site is within flood zone 1 and therefore at low risk of flooding. If the application has been considered acceptable in other respects a condition requiring details of foul and surface water drainage would have been appropriate.

Other Topics

Self & Custom Build

The LPP1 development strategy sets the requirement for the overall housing growth in the District at 12,500 dwellings between 2011 and 2031. It focuses substantial growth in three strategic allocations (land West of Waterlooville, North Whiteley and North Winchester) whilst setting targets for more limited growth in the market towns, including Denmead (policy MTRA2). The Plan emphasises the importance of providing affordable housing and an appropriate dwelling mix. Proposals should be acceptable in terms of open space provision, transport, sustainable construction, design, landscape/heritage impact, green infrastructure, biodiversity, and achieve efficient use of land and infrastructure provision.

Policies 1 (A Spatial Plan for the Parish), 2 (Housing Site Allocations) and 3 (Housing Design) from the Denmead Neighbourhood Plan are also relevant to this application. The policies in the DNP are in accordance with the policies in LPP1 and LPP2 and set out the presumption of new development being within the settlement boundary, they allocate sites for the 126 dwellings allocated to Denmead by the Joint Core Strategy and set out design considerations for applicants.

The NPPF promotes a presumption in favour of sustainable development for those proposals that are in accordance with the development plan. Where an application conflicts with up to date development plans permission should not usually be granted (NPPF paragraph 12).

The NPPF requires councils to undertake an assessment of need for different forms of housing for different groups in the community including those wishing to commission or build their own homes. This exercise is being undertaken as part of the evidence for the new Local Plan 2038 with an updated Strategic Housing Market Assessment which will address the need for custom / self build. The NPPF whilst identifying that the needs of those wishing to commission or build their own homes need to be assessed and met, does not envisage them being built as exceptions sites outside settlement boundaries. There is no requirement for the Council to have a policy relating to self / custom build but that is something that will be considered in the new local plan 2038 with the possibility that a % target will be set out in a policy to be applied to residential developments over a certain size.

The proposal is for 5 serviced plots to be made available for custom or self build. It is noted that there does not appear to be a unilateral undertaking submitted with the application which would normally be expected to secure custom and self-build on the site as it is within the countryside where housing would not usually be permitted.

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The principle of sustainable development underpins the development plan and the development strategy focuses development on the urban areas and expects that development proposals will make efficient use of land within existing settlements and prioritise the use of previously developed land in accessible locations. Denmead Neighbourhood Plan also supports this development strategy focussing development to within the settlement boundary unless it has a need to be located within the countryside and falls within those uses outlined in policy MTRA4. The site is greenfield land, the development of which should not be prioritised over land within settlement boundaries and brownfield land as set out in the NPPF and the development plan.

It should be noted that the Denmead Neighbourhood Plan is currently being reviewed by the Parish Council. The applicant has submitted the application site to the strategic housing and employment availability assessment (reference DE45) for the Parish Council to consider allocating for residential development in its new plan.

The classification of towns, villages and rural settlements is important in planning terms and underpins the development plan allowing development to be directed to the most sustainable locations. Settlements that are in a higher tier of the hierarchy are more sustainable locations for new development, because residents can access a greater range of services and facilities more easily, without the need to travel by car which is the least sustainable form of transport as well as being the highest contributor to carbon in the district. This is of particular importance now that the council has declared a Climate Emergency. Denmead is a relatively sustainable settlement and on that basis was allocated about 250 homes to be allocated via the Joint Core Strategy. Denmead has its own neighbourhood plan which allocates sites for new development to meet the identified need of about 250 homes within the settlement boundary to meet local need as follows;

- About 90 dwellings on Land East of Village Centre;
- About 20 dwellings on Land off Tanners Lane
- About 10 dwellings on Land at Baptist Church and
- About 10 dwellings on Land off Anmore Road.

The council is aware of the legislation and good practice guidance around CSB and is actively supporting this within the District and through the Local Plan process. The council has engaged with the Right to Build Task Force and officers and members have taken part in a bespoke workshop to consider the CSB situation in the district and what positive actions they are taking towards the provision of CSB plots.

Officers have also taken part in training specifically around how Local Plans can incorporate a policy requirement to help address CSB needs and in particular how successful a % policy could be and this is something that is under consideration as part of the Local Plan Review. It is hoped that by introducing a policy the number of CSB opportunities (serviced plots) could be greatly increased.

NACCSBA consider that the council has wrongly introduced a local connection test in order to reduce its obligation in respect of CSB.

Current legislation allows for three constraints to joining the CSB register to be introduced, a local connection test, financial viability test and a charge for entry onto the register. The council has not introduced a financial viability test or a charge for entry onto the register. It
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has however introduced a local connection test in April 2019. It is alleged that this is contrary to the spirit of the legislation and is an attempt to reduce the numbers. The reality is that this has not impacted on the numbers significantly in practice with 12 people in base period 4 being moved to part 2 of the register, 18 in base period 5 and 23 in base period 6. This has resulted in a total of 53 people being impacted by the local connection test with 343 remaining on part 1. In practice no applications have been refused because they would exceed the demand indicated by the register.

The council is not seeking to reduce its obligation and this can be seen as the numbers on the register both parts 1 and 2 continue to rise which shows that the council's efforts to promote CSB is proving successful. The council is able to show that it is working actively to promote CSB and support those who want to build in the district.

The legislation sets out that the council has a period of 3 years from the end of each base period in which to permission the equivalent number of serviced plots. Because the council is a CIL authority, it uses CIL exemptions for counting the number of CSB plots. It is accepted that this is likely to be an underestimate of the actual number of CSB plots permissioned but at the current time is the only definitive way to count plots which are definitely CSB. The Task Force provided advice at the training session that any applications which claim CIL exemption on the basis that they are CSB should definitely be counted towards the total and further information is provided in PG Note 10 "Counting Relevant Permissioned plots".

The table below shows the current position at the end of base period 6.

| | Base Period | Part 1 of Register | Part 2 of Register | Total on Register | CIL exemptions |
|---|---|---------------------------|---------------------------|--------------------------|-----------------------|
| 1 | 01/04/2016 - 30/10/16 | 35 | 0 | 35 | |
| 2 | 31/10/16 - 30/10/17 | 53 | 0 | 53 | 28 |
| 3 | 31/10/17 - 30/10/18 | 46 | 0 | 46 | 25 |
| | LOCAL CONNECTION TEST INTRODUCED | | | | |
| 4 | 31/10/18 - 30/10/19 | 74 | 12 | 86 | 32 |
| 5 | 31/10/19 - 30/10/20 | 65 | 18 | 83 | 38 |
| 6 | 31/10/20 - 30/10/21 | 70 | 23 | 93 | 37 |
| | TOTALS | 343 | 53 | 396 | 160 |

The CIL exemptions for base period 1 first entry is blank as it is only acceptable to count permissions granted from the end of the relevant base period. The permissioned plots are only counted towards meeting the need of the base period if they are within the correct 3 year period.

To meet the needs of the first 3 base periods the council needed to permit 134 serviced plots by 31/10/21 and it had permitted 160.

It is clear that the council has fully met its duty in respect of the first three base periods with no shortfalls indicated and this is on the underestimation of counting CIL exempt permissions only. The applicant's assertion that there is a huge unmet need is therefore not accepted.

Because the council has met its duty in respect of the first three base periods there is no need to permit CSB proposals which are fundamentally in conflict with the development plan. In PG10 the Task Force has made it clear "that no one involved in CSB wants to see speculative applications being promoted solely on the back of CSB duties. Particularly

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where the application is in some way harmful to the local character or environment or where speculative building is sought to the detriment of wider interests. Nor do those engaged in the sector wish to see ongoing legalistic examination of land supply. This guidance should allow councils that make good faith efforts to engage with and support CSB. Providing evidence of ongoing engagement and support can be legitimately factored into consideration of the planning balance for CSB proposals”.

The council is working positively and actively to promote CSB within the district and can confirm that it has met the need of the first three periods as shown above. The proposed development is for housing in the countryside with no overriding justification to indicate that the development plan should not be the starting point for decision taking.

Sustainability

Policy CP11 requires that new development comply with code 4 of the now defunct Code for Sustainable Homes. This requires that water usage is confirmed as 110 litres per person per day and that energy efficiency is confirmed at 19% above standard requirements. Should the application have been considered acceptable, conditions ensuring that design stage and as built comply with the requirements of CP11.

Equality

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

Planning Balance and Conclusion

The proposal fails to accord with policies MTRA2, MTRA4 of the Local Plan Part 1 and policies DM15, DM16 and DM23 of the Local Plan Part 2 in that it would result in new dwellings within the countryside with no justification, resulting in harm to the character of the area by way of visual and physical intrusion and encroachment into the countryside. The proposal is also contrary to policies CP15 and CP16 of the Local Plan part 1 in that the proposal would result in harm to the Solent SPAs and no mitigation is proposed.

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Recommendation – Refuse due to the following reasons:

1. The application is contrary to policies MTRA4 of the Winchester District Local Plan Parts 1 as it would result in new dwellings in a countryside location with no justification.
2. The proposal is contrary to policy DM15, DM16 and DM23 of the Winchester District Local Plan Part 2 in that the proposal fails to respond positively to the character of the area by virtue of its siting, suburban form and layout, resulting in visual and physical harm to the surrounding countryside.
3. The proposed development is contrary to Policy CP15 and CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to protect and enhance biodiversity across the District by failing to make appropriate mitigation in regard to increased nitrates into the Solent SPAs. As a result, it is considered that the proposed development would result in significant harm to the Special Protection Area (SPA) and the species that it supports, therefore contravening the legal requirements of the Wildlife and Countryside Act 1981, the Habitat Regulations.

INFORMATIVES

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

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, CP15, CP16, CP20, MTRA4

Local Plan Part 2 - Development Management and Site Allocations: DM15, DM16, DM23
High Quality Places SPD

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Appendix

From: **Denmead Parish Council Parish**

Case No: **22/00722/OUT**

Location: Land South Of School Lane Denmead Hampshire

Proposal; Facilitation of Land into Five serviced plots for Custom/Self Build housing

Comments:

Denmead Parish Council **strongly objects** to the application on the Grounds of:

- There is no justification for these dwellings in the countryside for agricultural use. This is contrary to policy MTRA4 of the Winchester District Local Plan Part 1 as it would result in new dwellings in a countryside location with no justification. This site is outside of the defined settlement boundary.
- The proposal is contrary to policy DM16 and DM23 of the Winchester District Local Plan Part 2 in that the proposal would fail to respond positively to the character of the area resulting in visual and physical harm to the surrounding countryside. The houses in the surrounding area are large single dwellings.
- The site is clearly identified as Countryside (Denmead Neighbourhood Plan-DNP) and as such should be protected from development (Winchester Policy MTRA4) 2. This development clearly contravenes the DNP in which a settlement area for permitted development has been defined. The boundaries for countryside and settlement in this plan were not "drawn arbitrarily" as inferred in the Planning Statement. Allowing this development to go ahead will set a precedent for others to build in the countryside and further undermine and contravene the agreed policies, plans and guidance set by the Local Authority and nationally.
- This proposal is contrary to CP15 and CP16 of the Winchester District Local Plan Part 1 – as it as it would decrease biodiversity by reducing agricultural land in the countryside.
- The proposed dwellings are not sustainable, the site location is not beneficial to the villagers, the site is more than 30 minutes' walk away from the village shops and schools which would encourage the use of private transport and would be contrary to WCC's policy on Climate Change.

Request for application to be considered by Committee:

For the reasons listed above, DPC requests this application goes to Committee

Cas

Signed: *SHolliday*

Date: 07/06/2022