

**Case No:** SDNP/18/04041/FUL  
**Proposal Description:** Revised application for the erection of one dwelling (Amended Plans 14/09/2018)  
**Address:** Land adjacent to Appletree Cottage, Chilcomb, Winchester, Hampshire, SO21 1HT  
**Parish, or Ward if within Winchester City:** Chilcomb  
**Applicants Name:** Mr H Dhand  
**Case Officer:** Mrs Sarah Tose  
**Date Valid:** 01 August 2018  
**Recommendation:** Application Approved



### General Comments

This application is reported to the Planning Committee due to the number of representations that have been received contrary to the Officer's recommendation.

## **1 Site Description**

The site comprises an open area of land situated between a pair of semi-detached cottages, Appletree Cottage and Enterprise Cottage, to the west and a Grade II listed building, Complyns, to the east. The site lies within the village of Chilcomb, which falls within the countryside and the South Downs National Park. The site is located on the South Downs Way and a public footpath runs southwards opposite the site. Fields lie to the north and south. There is an existing gated access along the southern boundary of the site. The east boundary is formed of hedging with low post and rail fencing along the western boundary. Overhead power lines run north to south across the site and also east to west along the frontage with a substation located on the southern boundary. The BT pole in the southeast corner of the site has been relocated to provide improved access. The site is generally level with the exception of a raised bank that runs adjacent to the eastern boundary. An off site cherry tree is located within the garden of Appletree Cottage to the west and other trees lie to the east within Complyns' garden but there are no trees within the site itself.

## **2 Proposal**

The proposal seeks to construct a three bedroom part single and part two storey detached dwelling and a detached double garage. The first floor accommodation would be provided within the roof space. It is also proposed to underground the overhead power lines as part of the works. The proposed materials would comprise feather edged timber cladding, clay roof tiles, and timber windows and doors.

This application follows the refusal of the previous application SDNP/17/03969/FUL which was refused by the planning committee for the following reason:

'The proposed development would represent an undesirable additional dwelling for which there is no overriding justification in an area of countryside contrary to Policy MTRA4 of the Winchester District Local Plan Part 1 - Joint Core Strategy. In addition the proposal is contrary to Policies MTRA3, CP.19 and CP.20 of the Winchester District Local Plan Part 1 - Joint Core Strategy in that it does not represent the infilling of a small site within a continuously developed road frontage and would not be compatible with the character of the village by reason of design, size and relationship to the adjacent listed building. The proposal would not comply with Policy SD25: Development Strategy of the emerging South Downs Local Plan which does not identify Chilcomb as a settlement that is well-placed to accommodate growth.'

This application was subsequently dismissed at appeal. In his decision notice the Inspector found:

- That the site formed part of a continuously developed road frontage and constituted an infill site under Policy MTRA3. The principle of infilling the site was therefore found to be acceptable.

- Whilst the height of the proposed dwelling would be comparable with adjacent properties, 'the scale and form, combined with the contemporary appearance and materials would appear very much at odds with the traditional form of the buildings in the area' and thereby harm the rural character of the area and would fail to preserve the landscape and scenic beauty of the South Downs National Park.
- A 'contemporary style dwelling would be unrepresentative of the overall character of other traditional timber clad barns in the area generally built with traditional tiled and thatched roofs'.
- The proposed dwelling would harm the setting of Complyns by virtue of its scale, form, appearance, and the open nature of the sites frontage.

The current proposals have been developed to address the Inspector's concerns. The key changes between the current proposals and the appeal scheme can be summarised as:

- Re-orientation of the building from an east-west axis to a north-south axis.
- Adoption of a traditional design approach and the use of traditional weatherboarding and a tiled roof to more accurately replicate other traditional timber clad barns in the area.
- Reduction in the size of the building's footprint.

Following Officer concerns regarding the design of the rear elevation of the proposed dwelling, and in response to neighbours' comments, the applicant has submitted amended plans which include the following changes:

- Omit rear bedroom balcony.
- Reduce height of rear single storey roof to allow windows to bedroom to be seen.
- Reduce pitch to reduce scale of roof to rear single storey section.
- Reduce size and width of rear single storey section.
- Reduce height of roof of garage.
- Provide single roof light in centre of kitchen in lieu of multiple roof lights on pitched roof.
- Reduce overall footprint of building.
- Reduce footprint of garage.
- Reduce depth of first floor by approx. 1 metre reducing size of first floor and length of side roof.
- Omit box room to first floor reducing overall floor areas.
- Amend layout to locate living room at front.
- Reduced number of roof lights.

### **3 Relevant Planning History**

SDNP/15/05762/PRE - Proposed 5 no. bed dwelling STATUS: PRE 10th December 2015.

SDNP/16/03019/PRE - Proposed dwelling STATUS: PRE 26th January 2017.

SDNP/17/00961/FUL - Erection of new dwelling STATUS: WDN 24th April 2017.

SDNP/17/03969/FUL - Erection of new dwelling (RESUBMISSION) (Amended plans 10/11/17). STATUS: REF 19th December 2017. Appeal dismissed 16th May 2018.

#### **4 Consultations**

##### **WC - Historic Environment Team**

No objection, subject to conditions.

##### **WC - Drainage Engineer**

No objection, subject to condition.

##### **WC - Ecologist & Biodiversity Officer**

No objection, subject to condition.

##### **WC - Winchester Highways**

The latest application was refused and was dismissed at appeal, however no highway implications were raised. In view of this, there is very little I can say to this latest proposal.

##### **WC - Landscape - North**

No objection, subject to conditions.

##### **Parish Council Consultee**

Comments awaited.

#### **5 Representations**

17 representations have been received raising objections to the application (original plans) for the following reasons:

- Appeal notice did not conclude there was a 'need'.
- Emerging policy SD25 precludes new dwellings in Chilcomb.
- Impact on dark sky reserve from roof lights.
- Larger than Complyns- would dominate the listed building.
- Scale would detract from setting of village.
- Overlooking to Appletree Cottage.
- Should be single storey.
- Site is not an infill plot.
- Road is not continuously developed.
- Result in a suburban appearance.
- Dominate the street scene for walkers of the South Downs Way.
- Loss of open space between buildings would adversely affect local character.
- Design out of keeping with existing buildings.
- Alien development.

- Overbearing when viewed from the side.
- Too big for the size of the plot.
- No significant reduction in size from previous application.
- Would support a more modest property.
- Detrimental to rural character.
- No local need for housing.
- Contrary to policy MTRA 4.
- Unsustainable location.
- First floor balcony would overlook neighbours.
- Smaller single storey/innovative part subterranean building might be acceptable.

11 representations have also been received supporting the application (original plans) for the following reasons:

- Villages around Winchester should evolve with society otherwise they will regress.
- Sensible, selective and appropriate development such as this need to be encouraged.
- Design is clean and modern.
- Materials would blend in with existing housing.
- Help to stem the housing crisis.
- Revised plans address previous objections.
- First floor much smaller- now subservient to listed property next door.
- Removal of unsightly pylon would enhance the landscape.
- Attractive design.
- Scale and character matches the existing village.
- Need to increase housing stock.
- Removal of ugly overgrown hedge will enhance the village.
- Energy efficiency proposals welcomed.
- Cross shape reduces the bulk facing the road.
- Well designed and sympathetic.
- House set well back from road.
- Profile from footpath is minimal.
- Sympathetically develop an untidy site.

Following the submission of amended plans, a further 6 representations have been received objecting to the revised proposal for the following reasons:

- No significant changes on amended plans.
- Ridge height of garage reduced but dwelling remains the same height which is overbearing and detrimental to the listed building.
- Only one small roof light removed from west elevation which makes a nominal difference.
- The roof lights appear to be merged rather than reduced in number- results in a larger continuous area of glazing which would be harmful to dark skies.
- The reduction in footprint is minimal and has a limited impact.
- Street elevation remains largely unchanged with the exception of the flue being reduced in size and repositioned.
- Reduction of no more than 5% in the main house.
- The garage is now moved to be virtually integral with the house so any small reduction will be lost with the inclusion of the garage mass.

- Maintain view that this is inappropriate development.
- Sets a precedent for other infill sites around the village.
- Wrong to allow Chilcomb to contain only expensive and exclusive houses.
- Would support an application for smaller, more affordable houses.

The South Downs Society has raised objections to the original plans for the following reasons:

- See objections to the previous application since the new proposal does not change the situation.
- The change of land use from agricultural to residential will change the character of this part of the national park open countryside.
- Unsustainable location.
- Risk of setting a precedent.
- The house is large whereas the need in the national park is for smaller, more affordable dwellings.
- No evidence of need.
- In conflict with Policy SD25.
- May have merit in terms of sustainability and environmental elements.
- If approved, environmental features could be secured by conditions.

## 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 **Winchester District Local Plan Review (2006)** and the following additional plan(s):

- Winchester District Local Plan Part 1 Joint Core Strategy (2013)
- South Downs National Park Local Plan - Submission 2018

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
- 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 **Winchester District Local Plan Review (2006)** are relevant to this application:

- DP3 - General Design Criteria
- DP4 - Landscape and the Built Environment
- H3 - Housing Provisions
- HE14 - Alterations to Historic Buildings
- T2 - Development Access
- T4 - Parking Standards

The following policies of the **Winchester District Local Plan Part 1 Joint Core Strategy (2013)** are relevant to this application:

- MTRA3 - Other Settlements in the market Towns and Rural Area
- MTRA4 - Development in the countryside
- CP11 - Sustainable Low and Zero Carbon Built Development
- CP13 - High Quality Design
- CP16 - Biodiversity
- CP19 - South Downs National Park
- CP20 - Heritage and Landscape Character

The following policies of the **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Development Management Policy SD13 - Listed Buildings
- Strategic Policy SD25 - Development Strategy

### Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 1

### The Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the Winchester District Local Plan Review (2006)**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

## **8 Planning Assessment**

### Principle of development

The application site lies within the countryside where new housing is not normally permitted unless there is an essential need for it to be there such as housing for rural workers. However, within rural villages there are opportunities for small-scale residential development where gaps exist between existing properties. Within the village of Chilcomb, policy MTRA3 of the LPP1 allows for development that consists of infilling of a small site provided that it is located within a continuously developed road frontage. The application site is considered to be in compliance with policy MTRA3 as it would comprise a small-scale site located between two existing residential properties.

There is local concern about the development not being in compliance with policy MTRA3 as the application site cannot be considered to be within a continuously developed road frontage. However, Chilcomb has been listed in the policy as being a village with potential opportunities for infill development. The term 'continuously developed' is not defined in the policy and the pattern and density of existing development will vary between villages. In Chilcomb, there is a loose grain of development. As there are properties either side of the site and further along to the west, the site does form part of a continuously



developed frontage when considering it within the context of the existing pattern of development in the area.

In the appeal decision the Inspector found that the site formed part of a continuously developed road frontage and constituted an infill site under Policy MTRA3. The principle of infilling the site was therefore found to be acceptable.

Comment has been made regarding policy SD25 'Development Strategy' of the emerging South Downs Local Plan, which will replace policy MTRA3 when the Plan is adopted in early 2019 (current estimated timescales). Chilcomb is not listed in this policy so the principle of new housing without an identified need following the adoption of the Plan will not be supported. However, until the Plan has been through the Examination in Public in November, when its policies will gain more weight, the policies in the Joint Core Strategy 2013 (such as policy MTRA3) take precedence.

#### Impact on the setting of the adjacent Listed Building

The re-orientation of the proposed dwelling from an east-west to north-south axis would substantially reduce its perceived mass by orientating it gable-end on to the road. This would significantly alter its relationship with Complyns as the built form would be visually and physically distinct from that of the listed building, as opposed to the much greater similarity in form and mass between the two buildings of the previous proposal.

The gabled form proposed would be physically and visually subservient to the built form of Complyns in terms of mass and scale. This physical and visual subservience would be reinforced by the significantly lower eaves level of the proposed building in relation to Complyns.

The simplicity of the built form, detail to the south elevation and the use of traditional materials associated with agricultural buildings would reinforce the subservience of the proposed building to Complyns and preserve the domestic and architectural pre-eminence of the listed building. Conditions 3 and 4 are recommended to ensure that window/door details and material schedule/samples are submitted for prior approval.

The extent to which both the short single storey wing to the east and the garage would be recessed back from the front (south) elevation would create layering and depth to the built forms on the site which would further help to reduce the sense of mass and scale. This would create a significantly larger gap and sense of space between Complyns and the proposed dwelling than that previously proposed which would reduce the physical impact of proposals and their relationship with the listed building in comparison to the appeal scheme.

The southern gable of the proposed dwelling would sit behind the southern building line of Complyns, again helping to reinforce subservience and minimise the impact of the proposed development on the setting of the listed building.

Objections have been received which state that the setting of the listed building would be harmed by virtue of the fact that the proposed dwelling would have a larger footprint than the listed building. The fact that the footprint as proposed would be larger than that of Complyns does not necessarily result in harm to its setting. Setting is defined in the NPPF as 'The surroundings in which a heritage asset is experienced'. Setting is not in itself a designation, nor is it fixed, and can change and adapt as the surroundings of the asset evolve.

Whilst the previous refusal did not make reference to setting the appeal decision found that proposals would be harmful to the setting of Complyns by virtue of its physical relationship with the listed building, that is scale, form, appearance, and the open nature of the site's frontage.

The importance of setting and the degree of protection or weight that is afforded to it in making planning decisions should be entirely dependant on the contribution it makes to the significance of the heritage asset or its appreciation. Simply because a proposal would result in change to an asset's setting would not be sufficient grounds for refusal of planning permission unless it could be demonstrated that that change would be harmful to the asset's significance or appreciation of that significance.

Complyns is located on the periphery of the village of Chilcomb and its wider setting is a picturesque, rural, edge-of-hamlet property. This edge of village setting is reinforced by the presence of large agricultural buildings and open countryside to the east of Complyns, the open countryside which rises gently to the south and is comparatively flat and open to the rear (north), the large and verdant plot in which Complyns sits and to a lesser extent the gap in the street frontage currently formed by the application site.

The importance of setting lies in what it contributes to the significance of the heritage asset or the ability to appreciate that asset. The significance of Complyns lies in it being a picturesque cottage with delicate architectural detail which is a good example of a substantial C17 timber framed cottage in a rural location which illustrates the evolution of continually changing tastes and modes of living during the C18th and C19th, as exemplified in alterations to the building and its re-fronting.

The removal of the existing telegraph pole and the erection of a mixed native hedge along the southern boundary of the application site would reinforce the verdant and edge-of-village context which would enhance the setting of Complyns.

The proposed development would not harm the ability to appreciate Complyns as a picturesque cottage which has evolved over the years at its edge-of-hamlet location within a wider rural setting. Complyns would remain the visually dominant and historically and architecturally pre-eminent building in views to it from the public footpath to the south. Infilling the application site with a structure of proportionate scale and a traditional agricultural character,

appearance and materials, would also not harm the setting of or ability to appreciate Complyns.

A distinction also needs to be made between the contribution a view makes to significance and the appreciation of an asset within a view. The Historic England Guidance states that 'An assessment of the contribution to significance of a view does not depend alone on the significance of the heritage assets in the view but on the way the view allows that significance to be appreciated' (para 30). As above, the development of the application site in a manner that allows the significance of Complyns to be appreciated would therefore not harm its setting.

In summary, it is considered that the current proposals satisfactorily address the previous reason for refusal and the issues raised in the Appeal Decision, would not harm the setting of the adjacent listed building and would comply with national and local planning policy and guidance.

Impact on the landscape character of the South Downs National Park  
LPP1 policy CP19 requires development to be in keeping with the context and setting of the landscape of the National Park. It is considered that the provision of a new dwelling in the proposed location would be in keeping with the existing residential character of the area. As outlined in the section above, the design and materials are considered appropriate.

Concern has been raised that the scale of the new dwelling is too large for the plot size. The revised floor area of the dwelling is 280m<sup>2</sup> (reduced from 293m<sup>2</sup>). Although the dwelling would be large, it is considered to be proportionate to the size of the plot and would not be significantly out of scale with other properties within the village. For the reasons outlined in the section above, the development is not considered to dominate the adjacent listed building. A refusal on the basis of scale could therefore not be justified.

The Landscape Officer has raised no objection to the proposal in principle, subject to securing appropriate hard and soft landscaping details. Soft landscaping will be especially important to ensure that the development settles well into the context and that the amenity of neighbours is not adversely affected. Planting of 'instant hedging' will be essential along boundaries immediately adjacent to neighbouring properties (particularly where doors and windows face the proposed development). Only mixed native instant hedge species should be used. In less sensitive areas native hedges could be planted as 'whips' to grow over time. Fencing should be limited to timber post and rail with stock netting as required. In addition, the use of native trees along boundaries, planted within hedges, will help the scheme settle into its context. Conditions 5 and 6 are recommended to secure appropriate landscaping details.

The South Downs National Park is a designated International Dark Sky Reserve. Conditions 8 and 9 are therefore recommended to ensure that details of measures to reduce light spillage from the proposed roof lights are submitted for prior approval, together with details of any external lighting at

the site to ensure there is no adverse impact on the intrinsically dark nature of the Park.

In summary, for the reasons outlined above it is not considered that the development would have a harmful impact on the landscape character and natural beauty of the South Downs National Park.

#### Impact on highways

The development is not considered to have an adverse impact on highway safety. Sufficient parking and turning space would be provided within the site to comply with the Council's adopted standards. Details of mud prevention have been secured via recommended condition 10.

#### Ecology

An updated ecological assessment report has been submitted which the Council's Ecologist is satisfied with. Condition 14 is therefore recommended to ensure that the recommendations proposed within the report are adhered to.

#### Impact on drainage

The Council's Drainage Engineer has raised no objection in principle, subject to the submission of detailed drainage proposals. As Chilcomb has no public foul sewer, a private sewage treatment plant will have to be provided which is the most sustainable solution, with soak aways provided for surface water. The proposed hard standings should be constructed in water permeable material. Condition 13 is recommended to secure such details.

#### Local residential amenity

The site is bordered to the east by a listed building, Complyns, and to the west by two other neighbouring properties. Consideration therefore needs to be given to the impact of the development on their residential amenities, in terms of loss of light, privacy and overbearing impacts.

#### *Overshadowing*

The proposed dwelling would result in some overshadowing to the garden area of Appletree Cottage during the mornings but the extent and duration of this is not considered to cause significant harm to their residential amenities. At its closest point the eastern elevation of the new dwelling would lie approximately 8m from the boundary with Complyns, so it is not considered to cause any significant overshadowing to the neighbour's garden.

#### *Overlooking*

A central roof light is proposed across the ridge of the dwelling to provide light to the first floor. No other roof lights are proposed in the west facing roof slope. Three small roof lights are proposed in the east facing roof slope which would serve two en-suites to bedrooms 1 and 3. The main windows to bedrooms 1 and 3 would face north and south across the proposed front and rear gardens. It is not considered that the proposed windows would result in any significant overlooking issues. Views from the ground floor windows can be sufficiently screened by boundary treatment (to be secured via condition).

### *Overbearing impact*

The development is not considered to result in any harmful overbearing impacts given the separation distances that would remain between the new dwelling and neighbouring properties.

### *Garage*

The detached single storey double garage is proposed close to the boundary with Complyns, but would be set down at a lower level. The amended plans have reduced the height of the garage roof and removed the roof lights on the north elevation as previously shown. Some minor shadowing to the neighbour's garden may occur in the afternoons; however the extent and duration of this could not be considered significant and the existing boundary treatment will already be casting some shadow. Although the building would affect the outlook from the neighbour's property and garden to some extent, it would not result in any demonstrable harm in terms of loss of light, privacy or overbearing impacts.

### Sustainability standards

In March 2015 the Government announced updates to its policy on housing standards and zero carbon homes. These affect the Council's implementation of LPP1 Policy CP11. While policy CP11 remains part of the Development Plan and the Council still aspires to achieve its standards for residential development (Code for Sustainable Homes Level 5 for energy and Level 4 for water), Government advice now sets a maximum standard of 110litres/day for water efficiency and the equivalent of Code Level 4 for energy. Therefore, for applications determined after 26 March 2015, Local Plan policy CP11 will be applied in compliance with the maximum standards set out in Government advice. Conditions 11 and 12 are recommended to ensure that the new dwelling meets these standards

## **9 Conclusion**

The application is considered acceptable for the reasons outlined above 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 (1) of the Town and Country Planning Act 1990 (as amended)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

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. No development beyond the construction of foundations shall proceed on-site until drawn cross sections and elevations of the windows, doors and roof lights (at a scale of 1:10) on the southern elevation, full details of the deep pedimented reveal on the southern gable and details of the building's rooflines (at a scale of 1:20), have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans and must show the relationship with the surrounding fabric. The development shall then proceed in strict accordance with the approved schedule unless agreed otherwise in writing by the Local Planning Authority.

Reason: To preserve the setting of the adjacent listed building in accordance with Policy CP20 of the Joint Core Strategy 2013.

4. No works beyond foundations shall commence on the dwelling hereby approved until a full material schedule supplemented with labelled samples including all types of finishes, including finishes to doors, windows and all cladding have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding fabric. The works shall then proceed in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the setting of the adjacent listed building in accordance with Policy CP20 of the Joint Core Strategy 2013.

5. No development shall take place above foundations 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;
- All boundary treatment (including 1:50 site plans);
- Hard surfacing materials (including samples and 1:50 site plans);
- Minor artefacts and structures (refuse or other storage units, signs and lighting etc);

Soft landscaping works shall include:

- planting plans (1:50) for new trees, hedges and other planting;
- tree pit details (where relevant);

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

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason: To preserve the setting of the adjacent listed building and to protect the landscape character of the South Downs National Park in accordance with Policies CP20 and CP19 of the Joint Core Strategy 2013.

6. No development shall take place above foundations until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To preserve the setting of the adjacent listed building and to protect the landscape character of the South Downs National Park in accordance with Policies CP20 and CP19 of the Joint Core Strategy 2013.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B, C, D or E of Part 1 and Class A of Part 2 of Schedule 2 of the Order shall be erected or carried out on the application site without the prior written permission of the Local Planning Authority on an application made for that purpose.

Reason: To avoid the introduction of alterations to the hereby approved dwelling which could dilute its architectural quality and potentially harm the setting of the listed building and the landscape character of the South Downs National Park in accordance with Policies CP20 and CP19 of the Joint Core Strategy 2013.

8. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles) and hours of operation. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the landscape character of the South Downs National Park from light pollution.

9. The building hereby permitted shall not be occupied until details of measures to reduce light spillage from the proposed roof lights (such as low transmittance glass or automatic black out blinds) have been submitted to and approved in writing by the Local Planning Authority. The measures shall be installed and operated in accordance with the approved details 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.

10. 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.

11. Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwelling meets the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

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

12. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that the dwelling meets the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

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

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. Works shall be carried out in full accordance with the specific recommendations and mitigation measures set out in the Peach Ecology Ecological Assessment report (ref 0124, issue 05, October 2018), unless otherwise approved in writing by the Local Planning Authority. Details of the hedgerow removal including phasing, supervision, timing and mitigation shall be followed.

Reason: In order to secure adequate ecological mitigation and enhancement, including with regards to protected species in accordance with policy CP16 of the Joint Core Strategy 2013.

**Informatives:**

1. This permission is granted for the following reasons:

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

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

Winchester District Local Plan Review (2006): H3, DP3, DP4, HE14, T2, T4.

Winchester District Local Plan Part 1 - Joint Core Strategy (2013): MTRA3, CP11, CP13, CP16, CP19, CP20.

South Downs Local Plan Submission (2018): Policies SD4, SD5, SD8, SD13, SD25.

3. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

-offering a pre-application advice service and,

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

- In this instance meetings were held with the applicant and architect.

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

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

6. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

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

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

8. The proposed development referred to in this planning permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (as amended).

In accordance with CIL Regulation 65, the South Downs National Park Authority will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which planning permission first permits development. Further details on the Authority's CIL process can be found on the South Downs National Park Authority website: <https://www.southdowns.gov.uk/planning/community-infrastructure-levy/>

## **11. Crime and Disorder Implications**

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

## 12. Human Rights Implications

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

## 13. Equality Act 2010

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

## 14. Proactive Working

Officers have worked with the applicant to overcome concerns with the original design of the rear single storey element.

## 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 on Plan	Status
Plans - LOCATION PLAN	LOCATION PLAN		30.07.2018	Approved
Plans - TOPOGRAPHIC SURVEY	5774/01		30.07.2018	Approved
Plans - AMENDED BLOCK PLAN	863-D-800A		17.09.2018	Approved
Plans - AMENDED PLANS	863-D-801A		17.09.2018	Approved
Plans - ELEVATIONS SHEET 01	863-D-803B		26.09.2018	Approved
Plans - AMENDED ELEVATIONS 02	863-D-804A		17.09.2018	Approved
Plans - AMENDED SITE PLAN	863-D-802A		17.09.2018	Approved
Plans - AMENDED SECTIONS	863-D-805A		17.09.2018	Approved
Plans - STREET SCENE	863-D-806B		26.09.2018	Approved
Plans - VISUAL 01	863-D-807 A		18.09.2018	Approved
Plans - VISUAL 02	863-D-808 A		18.09.2018	Approved
Plans - VISUAL 04	863-D-810		19.09.2018	Approved
Plans - VISUAL 03	863-D-809		17.09.2018	Approved

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