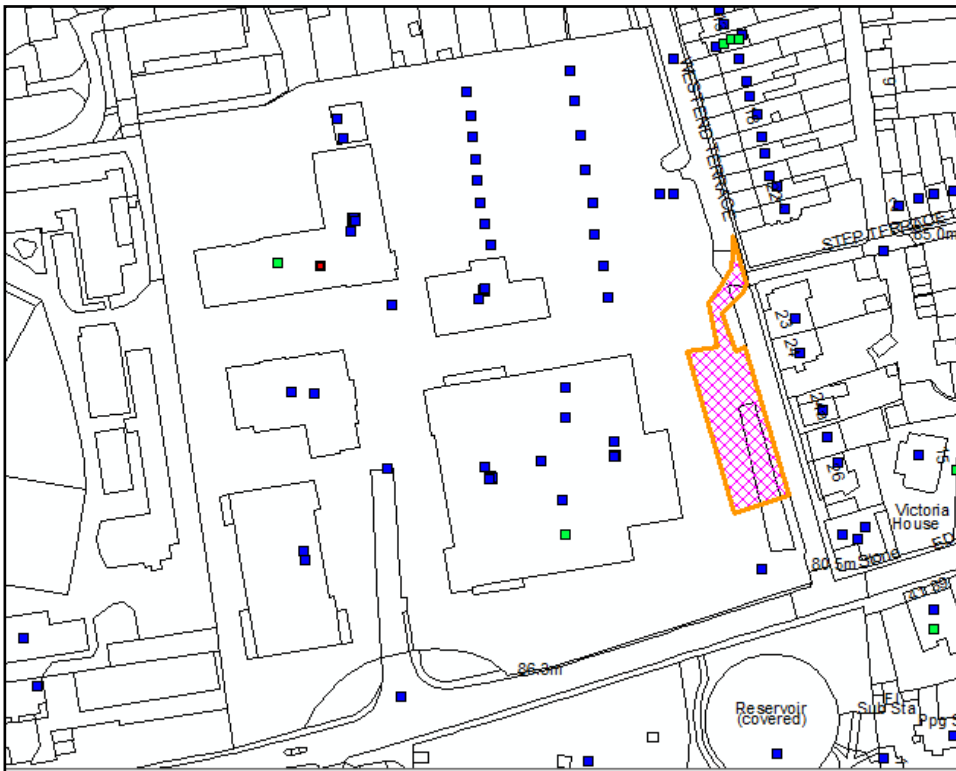


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 22/02038/FUL  
**Proposal Description:** Application Reference Number: 16/00957/FUL Date of Decision: 15/08/2020  
Variation of Condition Number 1: To extend the temporary permission granted for a period of two years until the 13th of August 2024.  
**Address:** Hampshire Constabulary HQ Romsey Road Winchester Hampshire  
**Parish, or Ward if within Winchester City:** St Paul  
**Applicants Name:** Heidi Perrin  
**Case Officer:** Catherine Watson  
**Date Valid:** 19 October 2022  
**Recommendation:** Application Permitted  
**Pre Application Advice** No

**Link to Planning Documents**

[Link to page – enter in reference number: 22/02038/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)  
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Reasons for Recommendation**

The development is recommended for permission as it is a temporary consent which is not considered to cause significant additional harm to the character of the area and will provide necessary accommodation for the Berkeley project office.

**General Comments**

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

**Amendments to Plans Negotiated**

None

**Site Description**

The project office is part of a larger housing scheme for the demolition of the Hampshire Constabulary headquarters and the construction of housing and associated development. The entire site measures approximately 2.35ha in total, whilst the area of the sales and marketing suite is approximately 1100sqm and is situated in the eastern part of the site adjacent to West End Terrace.

**Proposal**

The proposal is for the extension of time for the use of this part of the site as a project office. Temporary consent was granted on 18<sup>th</sup> August 2016 for the erection of a temporary sales and marketing suite in this location, to expire on 12<sup>th</sup> August 2020. In February 2021, temporary consent was again sought and granted for the a temporary use of the site, this time as a project office for Berkeley Homes, but utilising the same building and parking area as the sales and marketing suite. The application seeks a further temporary consent for this use until 13<sup>th</sup> August 2024.

**Relevant Planning History**

**20/01498/FUL** - To extend the temporary permission granted for a period of two years (16/00957/FUL, Condition 1). **Permitted 25.02.2021**.

**16/00957/FUL** - Erection of temporary sales and marketing suite, with associated access, parking and landscape works. **Permitted 18.08.2016**.

**Consultations**

None required.

City of Winchester Trust:

- The application for an extension of time cannot be approved as the replacement building no longer has a use as a sales office. It is being used for purposes detrimental to the neighbourhood and residents.

**Case No: 22/02038/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

- The site office is nothing like the sales and marketing suite;
- The site office is a double storey of portakabins used as contractors' dining and shower areas;
- Berkeley Homes has committed to maintaining this area for pedestrian and cycle access. These works have not yet been carried out;
- The area is an eyesore.

**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 16 Conserving and enhancing the historic environment

National Planning Practice Guidance

Consultation and pre-decision matters

Design: process and tools

Use of planning conditions

Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 72

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

Policy WT1 – Development Strategy for Winchester Town

Policy CP13 – High Quality Design

Policy CP20 – Heritage and Landscape Character

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

Policy DM1 – Location of New Development

Policy DM15 – Local Distinctiveness

Policy DM16 – Site Design Criteria

Policy DM17 – Site Development Principles

Policy DM18 – Access and Parking

Policy DM27 – Development in Conservation Areas

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

**Planning Considerations**

**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

**Case No: 22/02038/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The application site is situated within the settlement boundary of Winchester, where development is acceptable in principle in accordance with policies DS1 and WT1 of the Winchester District Local Plan Part 1: Joint Core Strategy (LPP1) and policies WIN1 and DM1 of the Winchester District Local Plan Part 2: Development Plan and Site Allocation (LPP2).

**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 existing building, constructed as the sales and marketing suite in 2016 (16/00957/FUL), remains as approved in terms of its size and form. Signage is still in position on the front fascia to indicate that it is currently in use as the developer's (Berkeley Homes) project offices. The use of the existing building as project offices is considered to be in line with the original use as a sales and marketing suite.

Since the 2021 approved application, a number of portakabins have been erected within the redline boundary. Class A of Part 4 of the General Permitted Development Order 2015 (as amended) allows for "The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land". Once the operations have been carried out, the buildings, moveable structures, works, plant or machinery are required to be removed. The site plan has been amended slightly to keep the redline around the office building and parking spaces currently used in association with that, and a blue line instead around the associated land where the portakabins and closed access to West End Terrace. Vehicular access to this part of the site is via Romsey Road. The land and operations on the land within the blue line do not form a part of this planning application.

The former vehicular access to the sales and marketing suite on West End Terrace, has remained locked and is not currently in use. Whilst the erection of the portakabins adjacent to the office building creates a more densely developed appearance, this is temporary and will be removed in due course as per the stipulations of the GPDO above.

Therefore building which is the subject of this application is considered to be acceptable in terms of its impact on character and appearance of area and the proposal is compliant with policies CP13 of LPP1 and DM15, DM16 and DM17 of LPP2.

**Development affecting the South Downs National Park**

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The 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 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

**Case No: 22/02038/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Parks.

The application site is located 1.2km from the South Downs National Park and therefore the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

### **Historic Environment**

The works are within the Winchester Conservation Area.

The following legislation and policies are taken into account in the assessment and determination of this planning and listed building application.

#### *Relevant Legislation*

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990) confirms that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of heritage assets. Paragraph 199 of the NPPF advises that great weight should be given to the conservation of a designated heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Policy CP20 of WDLPP1 and Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

The site is within the Winchester Conservation Area, which covers the western and southern part of the Knights Quarter site. Immediately opposite the entrance to the site, on West End Terrace, are a group of five Grade II listed dwellings (19-22 West End Terrace and 1 Step Terrace). The site office is screened from view by the boundary hoardings on West End Terrace. It is a temporary structure and will be replaced by the hard and soft landscaping scheme as approved in the 2015 planning consent for the wider development (plan numbers D2259\_LAN\_201 Rev J and D2259\_LAN\_100 Rev H).

It is therefore not considered that the proposal would cause additional harm to the character of the area and so will preserve the character or appearance of the conservation area in accordance with S.72 P (LBCA) Act 1990; and preserve the character and historic interest of the Conservation Area in accordance with Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

**Case No: 22/02038/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Neighbouring amenity**

The nearest neighbouring properties are those opposite on West End Terrace. As explained earlier, the erection of the portakabins does not require planning permission and any issues with noise or other disturbances related to them is not a matter that can be considered as a part of this planning application. The site office building remains in the same use as that granted in 2021 and it is a temporary use, therefore it is not considered that the operation of this part of the site would result in any additional material harm to the amenities of neighbouring properties. A condition will be included in the planning consent which requires the site to be returned to its previous approved use by 13.08.2024 or once construction has finished on site, whichever is the earlier.

Therefore the proposal complies with policy DM17 of LPP2.

**Sustainable Transport**

The proposal will have no additional impact on highway safety or traffic generation as the West End Terrace entrance remains blocked and all vehicles must use the Romsey Road main entrance.

Therefore the proposal complies with policy DM18 of LPP2.

**Ecology and Biodiversity**

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

Therefore the proposal complies with policy CP16 of LPP1.

**Appropriate Assessment.**

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

**Sustainability**

The development is temporary and is not for overnight residential accommodation, therefore there is no requirement for a sustainability report/mitigation.

**Sustainable Drainage**

The proposal will have no impact on this because it is a temporary structure in an area with established foul and surface water drainage infrastructure.

Therefore the proposal complies with policy DM17 of LPP2.

**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

**Case No: 22/02038/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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 application is for a further extension of time for the use of the existing former sales and marketing suite as a project office. The use of the building remains as previously permitted and, following demolition of the building, the land will be put back into the soft and hard landscaped area approved on the original consent for the Knights Quarter site. Whilst neighbour concerns about the portakabins and their use are noted, these do not require planning consent and do not form part of this specific application site. In conclusion and for the reasons stated above, the development is acceptable and complies with relevant national legislation, guidance and local plan policies.

**Recommendation**

Application permitted, subject to the following conditions:

1. The permission hereby granted shall be for a limited period expiring upon the completion of all construction works, or 13<sup>th</sup> August 2024, whichever is the soonest. The applicant shall notify the Local Planning Authority once construction works have been completed. The project office and any associated hardstanding and fencing shall be removed and the area laid out in accordance with the previously approved landscaping plans (D2259\_LAN\_201 Rev J, dated May 2015 and D2259\_LAN\_100, dated May 2015). The hard landscaping works shall be completed within 2 months of the expiry of this consent and the soft landscaping works shall be completed by the end of the next planting season following the expiry of the permission hereby granted.

Reason: To ensure the landscaping as approved in application 15/01217/FUL, is implemented.

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

Site Layout – Project Office Drawing Number S861/SM/02 Rev C, received 24.11.2022

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

**Informatives**

1. In accordance with paragraph 38 of the NPPF (2021), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

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

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

Local Plan Part 1 - Joint Core Strategy: WT1, CP13, CP20

**Case No: 22/02038/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM15, DM16,  
DM17, DM18, DM27  
High Quality Places SPD  
Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.  
NPPF Section 16

3. This permission is granted for the following reasons:

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