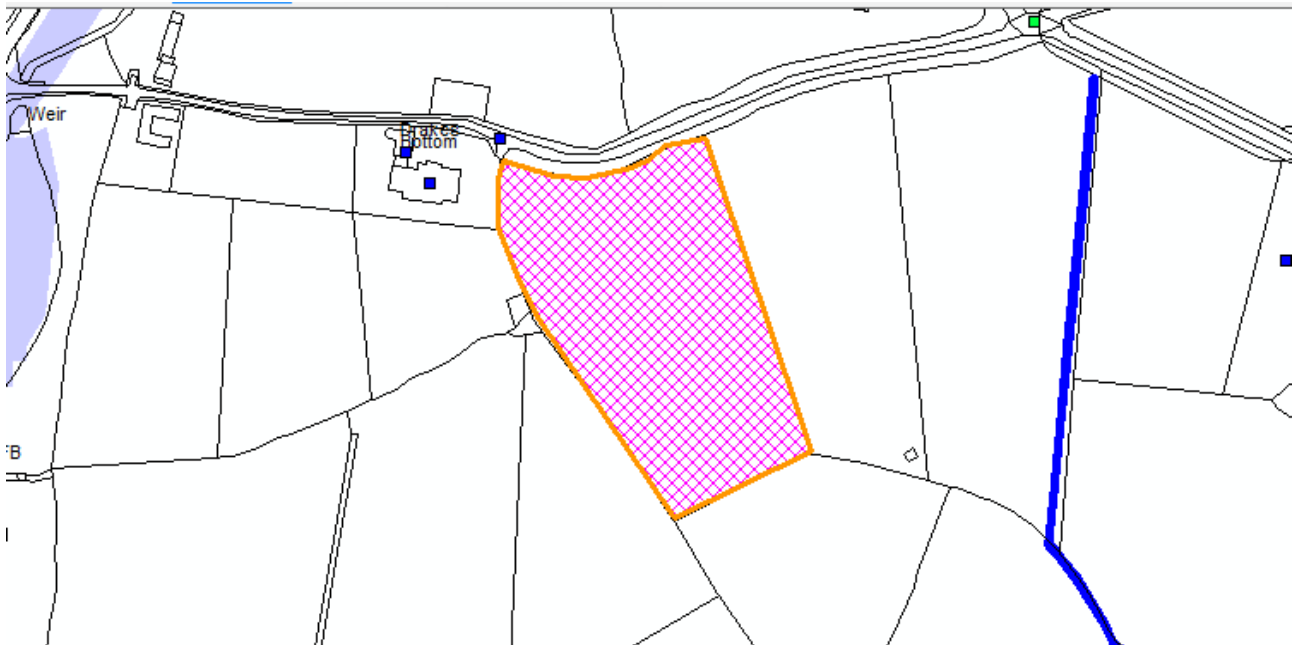


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Case No: 22/00649/FUL
Proposal Description: Erection of 2 self build dwellings
Address: Street Record Uplands Road Denmead Hampshire
Parish, or Ward if within Winchester City: Denmead Parish Council
Applicants Name: Messers P Benfield & Terzza
Case Officer: Nicola Clayton
Date Valid: 16 March 2022
Recommendation: Refuse
Pre Application Advice: No

Link to Planning Documents

[Link to page – enter in reference number 22/00649/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The 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 proposal is also contrary to Regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 and Policies CP15 and CP16 of Local Plan Part 1 as it is considered that the proposal will have a likely significant effect on a National protected site though an increase in nitrate input which has not been addressed.

General Comments

The application is reported to committee due to the number of supporting comments received contrary to the officer's recommendation.

Amendments to Plans Negotiated

An amended location plan was been submitted on 23 March 2023. The plans were re-advertised. A new site notice was posted and neighbour letter sent to all contributors.

The revised plans submitted by the applicant do not change the application 'on the ground' (unit numbers etc.). The amendments relate to the 'red line' of the application, the applicant's agent submitted a revised plan to clearly show which part of the field the individual applications were referring to and these are saved to the relevant application files.

Site Description

The site is situated next to an existing property named Drakes Bottom and comprises 2.27 acres (0.92 ha). Uplands Road, (also known as Dirty Lane) is situated North-West of Denmead. Denmead is 4.2 miles from the centre of Waterlooville and 8.9 miles from the centre of Portsmouth.

The site lies west of the Denmead Settlement Policy Area and is outside of the settlement boundary. The site is therefore within the countryside for policy purposes.

Proposal

The proposal is to erect 2 self build dwellings. The main exterior will be either vertical cladding or brick, both with brick plinths, the roof will be covered with grey slate or a manmade equivalent. The windows will be triple glazed factory finished with all suggested materials shown within the design and access statement submitted with the

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application The final specification of the materials can be secured by condition.

The existing hedgerow to the front of the site will be retained and it is proposed to be enhanced with additional species added to the existing hedgerow to provide habitat for native wildlife.

In November 2021 a variety of 62 trees (Beech, Wild Privet, Spindle, Hawthorn and Guilder Rose) were planted on the border of the site.

Both formal gardens will extend to approximately 7m from the rear of each bungalow.

Relevant Planning History

There is no relevant planning history to this site however the following appeal decision in a separate part of the district is similar and is referenced throughout the report -

Appeal Ref: APP/L1765/W/22/3306546 Land between Nightingale Cottage and Whingarth, High Street, Shirrell Heath, SO32 2JH for the creation of six serviced self-build/custom-build plots with all matters reserved except access and landscaping was dismissed in December 2022.

The inspector commented that there is evidence that the Council is consistently meeting demand for self-build plots.

Consultations

Service Lead for Community

Drainage

No objection

Hampshire County Council Highways Authority

HCC Highways

No comment received

Service Lead for Community

Ecology

No comment received

Service Lead for Built Environment

Strategic Planning

Objection

Natural England Consultation Service

Further information required.

Denmead Parish Council

Object (See Appendix 1)

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70 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
- 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

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

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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
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 Principals Policies and Guidance 2008
Historic Environment Good Practice Advice in Planning: Published 30 June 2020
Winchester Future 50 Conservation Area Project 2018-2020

Planning Considerations

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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 indicate 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 2 self/custom build dwellings. The layout indicates that 2 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 notwithstanding the length of the plots.

The proposal is for two 3 bedroom dwellings which is considered to create an acceptable housing mix in accordance with policy CP2.

The dwellings would be bungalows. The main exterior will be either vertical cladding or brick, both with brick plinths, the roof will be covered with grey slate or a manmade equivalent. The windows will be triple glazed factory finished with all suggested materials shown within the design and access statement submitted with the application. Notwithstanding the controls that could be applied through conditions to secure the detail of development, the proposals would introduce residential 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, DM16 and DM23 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.

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
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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

The application site does not include and is not in the setting of a listed building, conservation area, non-designated heritage asset or area of archaeological importance.

As a result, an impact on heritage assets and their setting is not identified.

Neighbouring amenity

The proposed development will be visible from the neighbouring property to the west of the application site (Drakes Bottom). Due to the distances involved it is not considered that the proposal would result in overbearing or loss of light or privacy. The property to the west (Drakes Bottom) is the only adjoining neighbouring site.

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

Sustainable Transport

Lower Uplands Road is an unclassified rural lane that links Fareham Road to the west with Hambledon Road to the east. In the vicinity of the site, it is subject to the National Speed Limit and does not benefit from street lighting or pedestrian footways.

The site access takes the form of an agricultural access which was granted consent by and constructed by the Highway Authority in 2015. Visibility splays have been provided and could be secured by condition to ensure a safe access and egress from the site.

The access would therefore in accordance with both Manual for Streets and Hampshire County Council Technical Guidance 3.

The new dwelling will have secure bicycle storage. Space will be allocated within the garage and the bicycles will be secured by means of robust door locks.

Therefore the proposal complies with policy DM18 of the LPP2

Ecology and Biodiversity

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
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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. The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution is made. The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites.

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).

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. If the application was approved, conditions could secure the submission of design-stage and as-built data prior to the occupation of the unit to ensure that the requirements have been met.

Sustainable Drainage

Despite being in Flood Zone 1, a strip on the northern part of the site is vulnerable to pluvial flooding. This should not be increased, and in fact, should be reduced because of this development. This can be achieved by implementing an adequate SuDS following the development.

For foul drainage, a package treatment plant with a reed bed for tertiary treatment has been proposed. This is acceptable because there is no mains drainage in this location; but there is no information for the final discharge from the reed bed. If a drainage field will be used for final disposal. The applicant would need to contact the Environment Agency for relevant permissions, because the site is in the Outer Source Protection Zone (SPZ2) and a reminder would have been included by an informative had the application been approved.

Should the permission be granted, a standard pre-commencement condition for foul and surface water drainage is required to address those issues.

Therefore the proposal complies with policy DM17 of the LPP2.

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
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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 principle of sustainable development underpins the development plan and the Denmead Neighbourhood 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.

Settlement Hierarchy and Sustainability.

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 will often be more sustainable locations for new development, because residents would be able to access a greater range of services and facilities more easily, without the need to travel by

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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 (DNP) that allocates sites for new development to meet the identified need of about 250 homes.

The following table taken from the Denmead NP shows how the housing number for Denmead is to be met.

Source	Net dwellings
Completions 1.4.2011 – 31.3.2012	0
Completions 1.4.2012 – 31.3.2013	50
Net Completions 1.4.2011 – 31.3.2013	50
Outstanding permissions at 31st March 2013	39
Significant permissions 1st April – 30th Sept 2013	11
SHLAA sites within settlement boundary	24
Windfall allowance	0
Total supply	124
Local Plan Part 1 Requirement	250
Remainder to be allocated (at September 2013)	126

Within the Denmead Neighbourhood Plan Policy 2 allocates sites to meet the identified remaining need of 126 homes 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.
Total allocations 130 dwellings.

Policy 2 (DNP) also requires all applications for development to be accompanied by a Drainage Strategy to be agreed with Southern Water, Hampshire County Council and the Environment Agency.

The proposed development would not meet any of the criteria under MTRA4 – development in the countryside because it would constitute market housing in the countryside. The only policy exception for housing in the countryside is under policy CP4 which allows for affordable housing to meet local needs. This is not what is proposed in either of the applications.

Denmead have started the process of reviewing their NP and the Regulation 18 draft plan for consultation has given a housing target of 100 homes.

Self and Custom Build.

The council is required to keep a self and custom build register which it does on its web site. It also hosts a FAQ page and includes any council owned plots which can be made available for self builders.

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Self and custom plots are simply one way of procuring a market dwelling (unless promoted by a registered provider of affordable housing which is not what is proposed in this application) and it is not envisaged by the NPPF or the development plan that they should be located in the countryside which would be contrary to the development strategy for the district. The council has made provision for its housing targets through the adopted local plan and the Denmead Neighbourhood Plan and has a 5 year housing land supply with a 5% buffer and so the development plan is the correct starting place for determining applications. There is no requirement for the council to have a policy in respect of self and custom build a % policy is being proposed in the Regulation 18 Consultation Plan which would require sites in excess of 50 dwellings to provide 6% as serviced plots. The evidence base (Strategic Housing Market Assessment) has indicated that demand for self building in the district would warrant a % policy to help to increase the number of plots available.

The current figures for the self build register are as follows;

Base Period	Number of CIL-exempt planning permissions	Number of self-builders registered on self-build register (Part 1 and Part 2)	Number of self-builders registered on <u>Part 1</u> of self-build register	Number of self-builders registered on <u>Part 2</u> of self-build register
1 - 01/04/16 to 30/10/16	10	35	35	0
2 - 31/10/16 to 30/10/17	24	53	53	0
3 - 31/10/17 to 30/10/18	22	45	45	0
4 - 31/10/18 to 30/10/19	29	86	74	12
5 - 31/10/19 to 30/10/20	34	83	65	18
6 – 31/10/2020 to 30/10/2021	30	93	70	23
7 – 31/10/2021 to 30/10/2022	40	54	45	9
Total	189	449	387	62

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It should also be noted that there are in the region of 263 sites available on the brownfield register 2021 which are suitable for residential development and could potentially be made available for self and custom building. The brownfield register will be updated in December.

These numbers show that the council has met the need for base periods 1 – 3 in full and is currently showing a shortfall of 8 serviced plots in respect of base period 4.

It needs to be considered that this is the current shortfall but might not be the final number because applicants have 3 years in which to implement their planning permissions and at that point they may submit a self build CIL exemption form and these applications could then be counted if they were permitted in the correct base period. It should also be noted that these numbers are likely to change either because permissions are no longer eligible to be counted because they are sold for example or because applications which have been permitted without being counted become eligible to be counted when a self build exemption is then submitted prior to commencement which didn't form part of the original application.

Table showing how the serviced plots are allocated to which base period.

Register base period	need on part 1	Serviced plots	plots allocated to which base period
1 = 01/04/2016 - 30/10/2016	35	10	all for base period 1
2 = 31/10/2016 - 30/10/2017	53	24	all for base period 1
3 = 31/10/2017 - 30/10/2018	46	22	1 for base period 1 and 21 for base period 2
4 = 31/10/2018 - 30/10/2019	74	30	all for base period 2
5 = 31/10/2019 - 30/10/2020	65	38	2 for base period 2 and 36 for base period 3.
6 = 31/10/2020 - 30/10/2021	70	33	10 for base period 3 and 23 for base period 4
7 = 31/10/2021 - 30/10/2022	45	43	43 for base period 4 leaving a current shortfall of 8.
			Note there are some applications pending which could make up the shortfall.

Conclusion:

The proposed development would not be in compliance with the development strategy for the district set out in policies DS1, MTRA1 or MTRA4 and the Denmead Neighbourhood Plan.

Self and custom build housing applications do not constitute exceptional circumstances which would justify a departure from policy and there are sufficient plots available through CIL exempt planning permissions and on the potential sites included on the current Brownfield Register to meet the need in the first three base periods in full with a current shortfall of around 8 plots for base period 4. The council has a 5 year housing land supply plus a 5% buffer so the policies of the development plan and neighbourhood plan are the starting point for development management decisions. There is not considered to be any overriding justification in this case which would warrant overriding the provisions of the development plan and allow self build plots in an unsustainable location in the countryside.

Appeal Ref: APP/L1765/W/22/3306546 Land between Nightingale Cottage and Whingarh, High Street, Shirrell Heath, SO32 2JH for the creation of six serviced self-build/custom-build plots with all matters reserved except access and landscaping was dismissed in

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December 2022. The inspector confirmed that there is evidence that the Council is consistently meeting demand for self-build plots. The appeal decision supports the Council's decision to uphold that there is not considered to be any justification in this case which would warrant overriding the provisions of the development plan and allow self build plots in an unsustainable location in the countryside.

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. The merits of the self built plots does not carry sufficient weight by some margin, to outweigh the harm identified and the Development Strategy of the Local Plan for new housing.

Recommendation – Refuse due to the following reasons:

1. The application is contrary to policy DM1, MTRA3 and MTRA4 of the Winchester District Local Plan Part 1 as it would result in new dwellings outside of the defined settlement boundary 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, layout and the appearance of built form, 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.

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Appendix 1

From: **Denmead Parish Council Parish**

Case No: **22/00649/FUL**

Location: Street Record Uplands Road Denmead Hampshire
Proposal; Erection of 2 self build dwellings

Comments:

- Policy MTRA4 – Development in the Countryside – states that “dwellings in the countryside should only be permitted where there is an operational need for a countryside location, such as for agriculture, horticulture or forestry”. The proposal is contrary to this Policy with no need identified.
- Policy DS1 – Development Strategy and Principles - states that “development proposals will be expected to make efficient use of land within existing settlements and prioritise use of previously developed land in accessible locations”. This site is outside of the settlement boundary as defined in the Denmead Neighbourhood Plan, and this site is not in a sustainable location, being 2.2km away from the village centre, with no regular bus service and so does not meet the accessible location criteria.

Winchester City Council declared a climate emergency in June 2019. It’s Climate Emergency Carbon Neutrality Action Plan 2020-2030 states that the Local Plan must “promote low carbon development and transport while protecting our heritage and natural environment, including policies designed to secure that development and the use of land contribute to the mitigation of and adaptation to climate change” and “safeguard our district’s extensive natural habitats and precious ecosystems by delivering the actions in our Biodiversity Action Plan”. This proposal is contrary to those policies and goals.

Request for application to be considered by Committee:

For the reasons listed above, DPC requests this application goes to Committee, along with Application 22/00640/FUL.

Signed: *S Holliday*

Date: 13.05.22

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