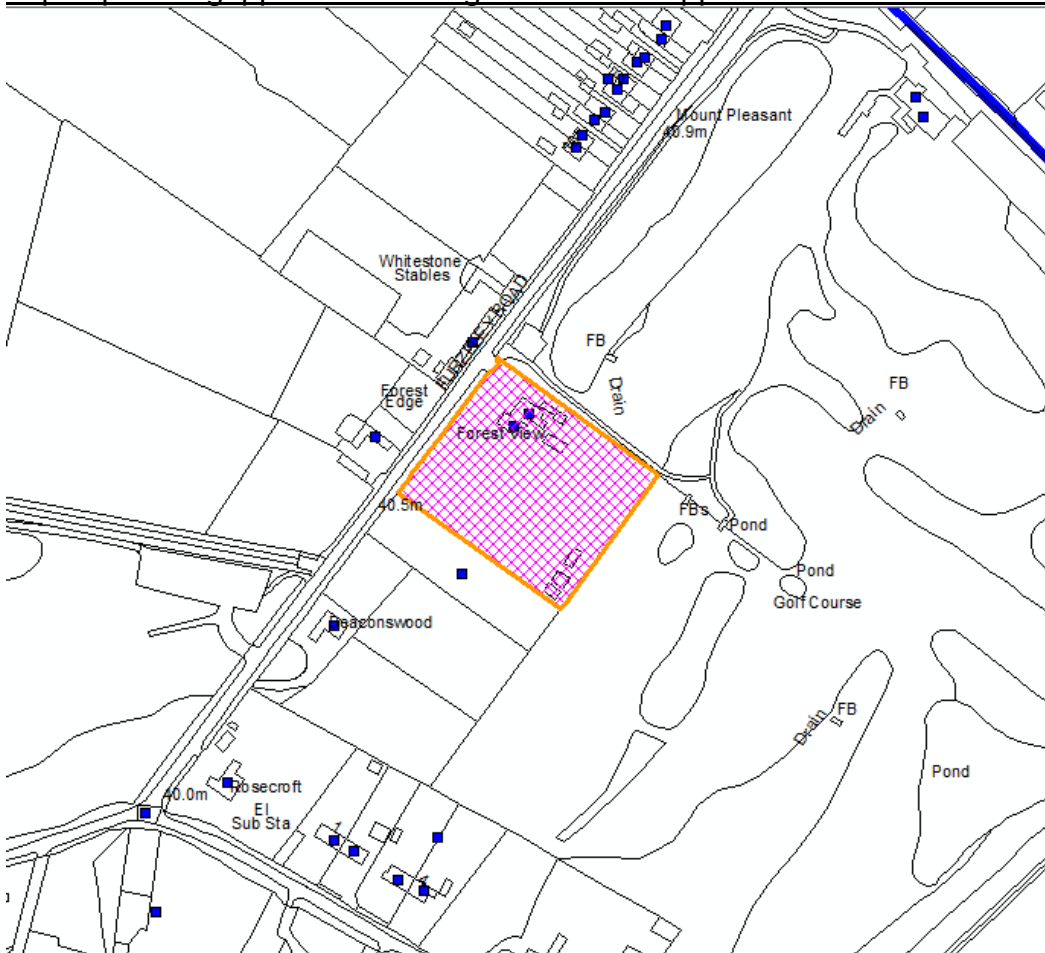


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**Case No:** 22/02074/FUL  
**Proposal Description:** Construction of single storey tourist accommodation building comprising 2No two bedroom lodges and 1No three bedroom lodge.  
**Address:** Forest View Furzeley Road Denmead Hampshire PO7 6TX  
**Parish, or Ward if within Winchester City:** Denmead Parish Council  
**Applicants Name:** N/A  
**Applicants Name:** Mr & Mrs Ben Mugford  
**Case Officer:** Jordan Wiseman  
**Date Valid:** 14 October 2022  
**Recommendation:** Application Refuse  
**Pre Application Advice** Yes

**Link to Planning Documents**

[Link to page – enter in reference number 22/02074/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 development is recommended for refusal as the development is contrary to policy MTRA4 and CP18 of the Winchester District Local Plan Part 1 and the Denmead Neighbourhood Plan 2011-2031 due to its siting which physically undermines the designated Denmead Local Gap prevent the coalescence of Denmead and Waterlooville settlements. There are no other concerns resulting in an unacceptable impact such as neighbouring amenity, sustainable transport, sustainable drainage, building sustainability, ecology and biodiversity.

**General Comments**

The application is reported to Committee due to the number of representations received supporting the proposal. Denmead Parish Council's request for the application to be determined by Planning Committee, based upon material planning considerations is appended.

**Amendments to Plans Negotiated**

A revised site plan was submitted (32/328 [S]01B – received 16<sup>th</sup> March 2023). This was a minor change to the proposals which repositioned the car parking area away from a number of trees on the south western boundary to ensure that these trees can be retained. A planting plan was also submitted on the 16<sup>th</sup> March 2023 demonstrating an area of planting enhancement for the site.

**Site Description**

The application site comprises 0.28 hectares of land and is located to the south-east of Furzeley Road, in Denmead, within the ownership of an existing residential property bordered on two sides by the local golf course and driving range. The existing property itself comprises a large single storey dwelling with a separate annexe and a detached garage within a large garden. The application site sits between this residential property and the golf course. The existing site hosts a number of existing derelict outbuildings/stables and the remainder is left to rough grassland, vegetation and trees. Pedestrian and highway access to the existing dwelling is from Furzeley Road at the Northern corner of the site, adjacent to the service access to the golf course. There is an alternative gated access from Furzeley Road at the far end of the site providing a separate vehicular route to the stable buildings at the rear.

**Proposal**

Construction of single storey tourist accommodation building comprising 2 No two bedroom lodges and 1 No three bedroom lodge.

**Relevant Planning History**

None

**Consultations**

Service Lead for Community and Wellbeing (Trees)  
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No objection

Service Lead for Community and Wellbeing (Ecology)

No comment received

Service Lead for Community and Wellbeing (Landscape)

Objection

In the Denmead Gap, in the open countryside outside of the settlement boundary. The location of the site in the Denmead Gap will unavoidably physically diminish the Gap to the degree by which the building, parking and drive cover the ground. This would seem to be counter to Policy CP18 – Settlement Gaps. The proposed building is utilitarian in form, a single mass and does not appear to relate to existing buildings or features on the ground. It requires the removal of trees and shrubs and a separate drive for access, with a large parking area. Notwithstanding other planning considerations and the location within the Denmead Gap, the proposal in its current form would be difficult to support on landscape grounds as it would not seem to be in the spirit of Policy CP13 High Quality Design or CP20 – Heritage and Landscape Character as it does not appear to respond well to its local context, trees, built form, layout or setting. If minded to approve the buildings could be split.

Service Lead for Engineering, Transport and Special Maintenance (Drainage)

No objection subject to pre commencement conditions

Hampshire County Council (Highway Authority)

No objection

Natural England

No comment received

**Representations:**

Denmead Parish Council

Object – See appendix 1

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

- Development in the settlement gap
- Development in the countryside without operational need
- No need for tourist accommodation in Denmead
- Not in keeping with surrounding area

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

- Supports local businesses
- Supports tourism in the area
- In keeping with the surrounding area
- Proposed scheme retains important trees
- Efficient use of the site

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**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).

Policy DS1 – Development Strategy and Principles

Policy SH1 – South Hampshire Urban Areas

Policy MTRA1 – Development Strategy Market Towns and Rural Areas

Policy MTRA2 – Market Towns and Larger Villages

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

Policy MTRA4 – Development in the Countryside

Policy 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 CP17 – Flooding, Flood Risk and the Water Environment

Policy CP18 – Settlement Gaps

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 DM23 – Rural Character

Denmead Neighbourhood Plan

Policy 1 (A Spatial Plan for the Parish)

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Residential Parking Standards December 2009

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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**

**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 situated outside of a settlement boundary, therefore countryside policies apply.

Policy MTRA4 allows for low key tourist accommodation that is appropriate to the site, location and setting. In this instance the development sought is considered relatively modest due to its limited scale and number of units however its siting is inappropriate as it is sited in the Defined Settlement Gap of Denmead to Waterlooville under Policy CP18.

Gaps provide a key opportunity to provide green infrastructure around the District in addition to shaping and maintaining the settlement pattern. They are a valuable tool and the principle of maintaining gaps in these locations is retained in accordance with the original principles contained within the Partnership for South Hampshire Framework for Gaps.

Gaps are spatial planning tools designed to shape the pattern of settlements - they are not countryside protection or landscape designations. They command wide public support and have been used with success in successive strategic plans to influence the settlement pattern of south Hampshire. The Denmead Neighbourhood Plan sets out throughout the plan, the strong community support for the Gap policy and that it is also part of its Vision, noting that Denmead's housing and business development schemes of the last few years have been compatible with the village's existing principal buildings, its general character and personality in terms of building density. The established settlement gaps and open spaces have not been eroded by coalescent development. The right development sites have been built that have served and addressed our local needs.

The designation of gaps and continued upholding of the development principles within South Hampshire is essential to help shape the future settlement pattern, so that the required new housing, community and employments sites needed during the duration of the local plan can be accommodated but in ways which will avoid the coalescence of settlements and the loss of settlement identify.

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Gaps can have other positive aspects: in retaining open land adjacent to urban areas which can be used for new/enhanced recreation and other green infrastructure purposes. The proposed use is therefore not compatible with this.

The Denmead Gap has been designated due to the open nature/sense of separation between settlements that cannot be retained by any other policy designations therefore the land included within it performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence. In defining the extent of the gap, no more land than is necessary to prevent the coalescence of settlements has been included having regard to maintaining its physical and visual separation. The reasons that this Gap was designated have not changed, the circumstances and purpose for the gap remain. With the progression of Waterlooville MDA, it is considered that the land as Gap becomes higher in importance to fulfil its purpose. It is also noted that the Gap principles are integral to the Spatial Strategy for South Hampshire Urban Area in Policy SH1 where they are needed to define the urban structure of the area and manage where all types of development should go, and not go. Policies MTRA1, MTRA2 and MTRA3 therefore all also guide development in this way for the housing, employment and community uses in the defined and undefined settlements, noting that development should protect areas designated for their local or national importance such as Gaps.

The site is located in the countryside and under MTRA4 development is limited to that which has an essential need to be located in the countryside. Exceptionally low key tourism can be acceptable where it is appropriate to its location and given the above considerations in principle, the Gap area should therefore be avoided. There is no reason why tourism needs to be located on this particular site and to accord with policy MTRA4 and as guided in the strategy by the Gap policy CP18, it should therefore be located elsewhere and outside of the gap area. This is considered further below.

Policy CP18 sets out that types of will set out the types of development which will be permitted within the gap(s) based on the principle that development within Gaps will only be permitted if: a) it would not diminish the physical and/or visual separation of settlements; and b) it would not individually or cumulatively with other existing or proposed development compromise the integrity of the gap.

The designation of a gap does not completely preclude development. Proposals which would not adversely affect the function of the gap and which would otherwise be acceptable in planning terms could be permitted. The cumulative impact of a number of even small scale developments could have a significant impact on the sense of separation between settlements and is a consideration in the decision making process. By the nature of its use, residential or business use would be considered to have the highest detrimental impact on the purpose of CP18 given that these are the uses that the settlements mainly comprise of.

The proposed use in the Denmead Gap is considered to unavoidably physically diminish the Gap to the degree by which the building, parking and drive cover the ground. It will become a separate planning unit and a use of some intensity, given the three units and short term residential stays. This is therefore considered to be contrary to the development strategy for South Hampshire, the Denmead Neighbourhood Plan and policy MTRA4 and CP18. The proposed building is utilitarian in form, a single mass and does not appear to relate to existing buildings or features on the ground. It requires the removal of trees and shrubs and a separate drive for access, with a large parking area.

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Noting the site descriptions above, the area has a character typical of the area with rural patterns of ribbon development fronting the roads intermittently with the large recreational uses surrounding it, appropriate to a rural location. The proposal itself even if mitigated by some tree protection limiting visibility encroaches further into the countryside behind the patterns of existing development. The landscape team support the concerns and do not support the development in respect of its impact in the landscape in respect of CP20 – Heritage and Landscape Character. Therefore the harm to the development strategy, gap policy and landscape justifies the proposed recommendation to refuse the planning application as contrary to SH1, MTRA4, CP18, and CP20 of LPP1 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 application site is an area of rural character, demonstrated by the densely vegetated/hedge lined country lanes, open paddocks and the nearby golf course. The surrounding area however is not devoid of residential development which is sporadic in the area and within close proximity to the application site as noted above in consideration of CP20.

As the application site is situated within the countryside and within a rural area, due regard is also given towards policy DM23 which seeks to protect an area's rural characteristics. The proposal would see the removal of some redundant detached outbuildings which are in disrepair and the erection of a new single storey timber-framed structure within an area of rough grassland to provide tourist accommodation comprising 2.no 2 bedroom units and 1.no 3 bedroom unit.

The design of the units demonstrates an appearance which reflects the site's rural setting, being finished externally in timber cladding, and a corrugated metal roof, materials which are consistent within the locality/existing buildings on the site and are therefore acceptable in terms of design.

Due to the orientation and location of the site, as well as existing boundary treatments, the proposed development is not considered to be visually intrusive in respect of DM23 in its appearance. Views will be achievable from the site access and the siting of the buildings are however not considered to respond to the landscape framework and character of the area especially having due regard to the cumulative effects of development on the character of an area, in accordance with DM15 LPP2. The proposal is therefore recommended for refusal in accordance with CP20 and DM15. The loss and use of the siting where the old stabling was is considered little mitigation of these issues.

The requirement for the accommodation to serve the golf course has limited weight in terms of siting when weighed with the other considerations for this and that this tourism use will have little weight as a wider community use as demonstrated. There is no public  
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benefit therefore identified which could override the harm identified as part of its assessment in accordance with CP18. The proposal therefore also gives rise to a concern about a precedent being set making it difficult to prevent proliferation of such uses in this Gap area.

### **Development affecting the South Downs National Park**

The application site is located 2.4km 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 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.

Due to the intervening distance and built form there is no harm to the National Park, its statutory purposes or status as a Dark Skies reserve. In addition condition no. 5 is included which restricts external lighting.

In conclusion 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**

There are no designated heritage assets in close proximity to the site. The proposed development does not affect a statutory listed building or structure including its setting. The application site is not situated within a conservation area and does not impact any archaeology or Non-designated Heritage Assets including their setting.

### **Neighbouring amenity**

Forest view is to the north of the proposed development, which is the only residential amenity likely to be impacted as a result of the development proposed.

Due to the modest single storey nature of the proposed development and its modest scale more generally along with its siting within the plot, it is not considered that any significant additional adverse impact can be demonstrated upon residential amenity in terms of overshadowing and overbearing. There are a number of windows upon the rear elevation of proposed building facing towards Forest View, however these are at ground floor level and completely screened by boundary treatment. Therefore no additional adverse levels of overlooking can be demonstrated.

Due to the intervening distances involved there are no adverse residential amenity impacts demonstrated on other nearby properties.

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Based upon the above assessment, it is considered that no significant additional adverse impact can be demonstrated upon residential amenity by way of overlooking, overshadowing and overbearing. The development proposed therefore accords with policy DM17 of the WD LPP2.

### **Sustainable Transport**

Access to the site is proposed via an existing vehicular access of Furzeley Road. This access has sufficient visibility and is considered acceptable to accommodate the vehicles associated with the proposed development. The proposed development is anticipated to have a negligible impact on traffic generation. The proposed development provides sufficient parking in accordance with the council's parking standards SPD within the residential curtilage of the site. The proposed location is not considered particularly sustainable and so is also given little weight in the consideration of the issues.

Based upon the above assessment the proposed development does not result in any adverse impact upon highway safety and parking. The development therefore accords with policy DM18 of the WD LPP2.

### **Ecology and Biodiversity**

The application is not in close proximity to a designated or protected site, the closest being Creech Walk SINC located over 200m to the north. The proposal is for overnight accommodation affecting Nitrates.

The development site is outside of the River Itchen Catchment Area and Phosphate mitigation is not required.

In terms of 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 of 7.89Kg/N/year is made.

The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England. The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

The development therefore complies with The EU Habitats Directive and Conservation of Habitats & Species (Amendment) Regulations 2011 and contains an Appropriate Assessment as Competent Authority (if required).

There are no statutory designated sites located within a 1km radius of the site.

The submitted ecological appraisal report by Hampshire Ecological Services Ltd has identified that the site has a relatively low potential for supporting a number of protected species including bats, dormice, great crested newt, otter and water vole, badgers and birds. It is considered that the potential impacts to these species could be avoided if

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mitigation measures are implemented and opportunities for enhancements on the site are taken. A condition could therefore be included ensuring that the development is carried out in accordance with the recommendations set out within the ecological appraisal report by Hampshire Ecological Services Ltd.

Therefore the proposal complies with policy CP11 of the WD LPP1.

### **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. A condition could be included and secures the submission of design-stage data prior to the commencement of development to ensure this is complied with. (Condition 7)

A further condition then requests as-built data prior to the occupation of the unit to ensure that the requirements have been met. (Condition 8)

The proposal therefore complies with policy CP11 of the Local Plan Part 1.

### **Sustainable Drainage**

Based upon the latest information available from Hampshire County Council, the application site is located flood zone 1 and within an area considered to be at 'very low risk' from surface water flooding.

Drainage strategies have been indicated as part of this application however no detail has been provided.

Based upon the above assessment, a pre commencement condition could be included requesting details of foul and surface water drainage systems to be used within the development (Condition 6). The proposal is therefore considered to comply with the Development Plan DM17.

### **Trees**

There are a number of mature trees on the site. An arboricultural impact appraisal and method statement has been submitted with this application confirming that, with mitigation/protection measures in place, the proposed development can be accommodated without significant harm to trees. A condition is recommended ensuring that the proposed development is carried out in accordance with the submitted arboricultural impact appraisal and method statement and the protection measures recommended. (Condition 10).

The proposal therefore complies with policy DM24 of the 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  
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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 is for residential tourist use and accommodation. The development is recommended for refusal as the development is contrary to policy MTRA4, CP18 and CP20 of the Winchester District Local Plan Part 1 and the Denmead Neighbourhood Plan 2011-2031 due to its siting which physically undermines the designated Denmead Local Gap preventing the coalescence of Denmead and Waterlooville settlements. There are no other concerns resulting in an unacceptable impact such as neighbouring amenity, sustainable transport, sustainable drainage, building sustainability, ecology and biodiversity. The site is not in a particularly sustainable location and no public benefit or other material considerations of sufficient weight have been identified which may give reasons to allow this residential / tourism use to be considered as a suitable use in a designed settlement gap. This also therefore gives rise to a precedent being set making it difficult to prevent proliferation of such uses in this Gap area.

### **Recommendation**

Application Refused, for the following reasons:

The proposal is contrary to policy MTRA4, CP18 and CP20 of the Winchester District Local Plan Part 1, the Denmead Neighbourhood Plan 2011-2031 and DM15 of Local Plan Part 2 due to its location and siting, which physically diminishes and undermines the designated Denmead Local Gap preventing the coalescence of Denmead and Waterlooville settlements. The proposal fails to respect the characteristics of the local area and will therefore have a demonstrably harmful impact on the settlement pattern of Denmead and Waterlooville individually and cumulatively. The proposal also therefore gives rise to a precedent being set making it difficult to prevent proliferation of such uses in this Gap area in the future.

### **Informatives:**

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

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1).

Policy DS1 – Development Strategy and Principles

Policy MTRA1 – Development Strategy Market Towns and Rural Areas

Policy MTRA2 – Market Towns and Larger Villages

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

Policy MTRA4 – Development in the Countryside

Policy CP10 – Transport

Policy CP11 – Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

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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 DM15 – Local Distinctiveness  
Policy DM16 – Site Design Criteria  
Policy DM17 – Site Development Principles  
Policy DM18 – Access and Parking  
Policy DM23 – Rural Character

3. In accordance with paragraph 38 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.

**Appendix 1**