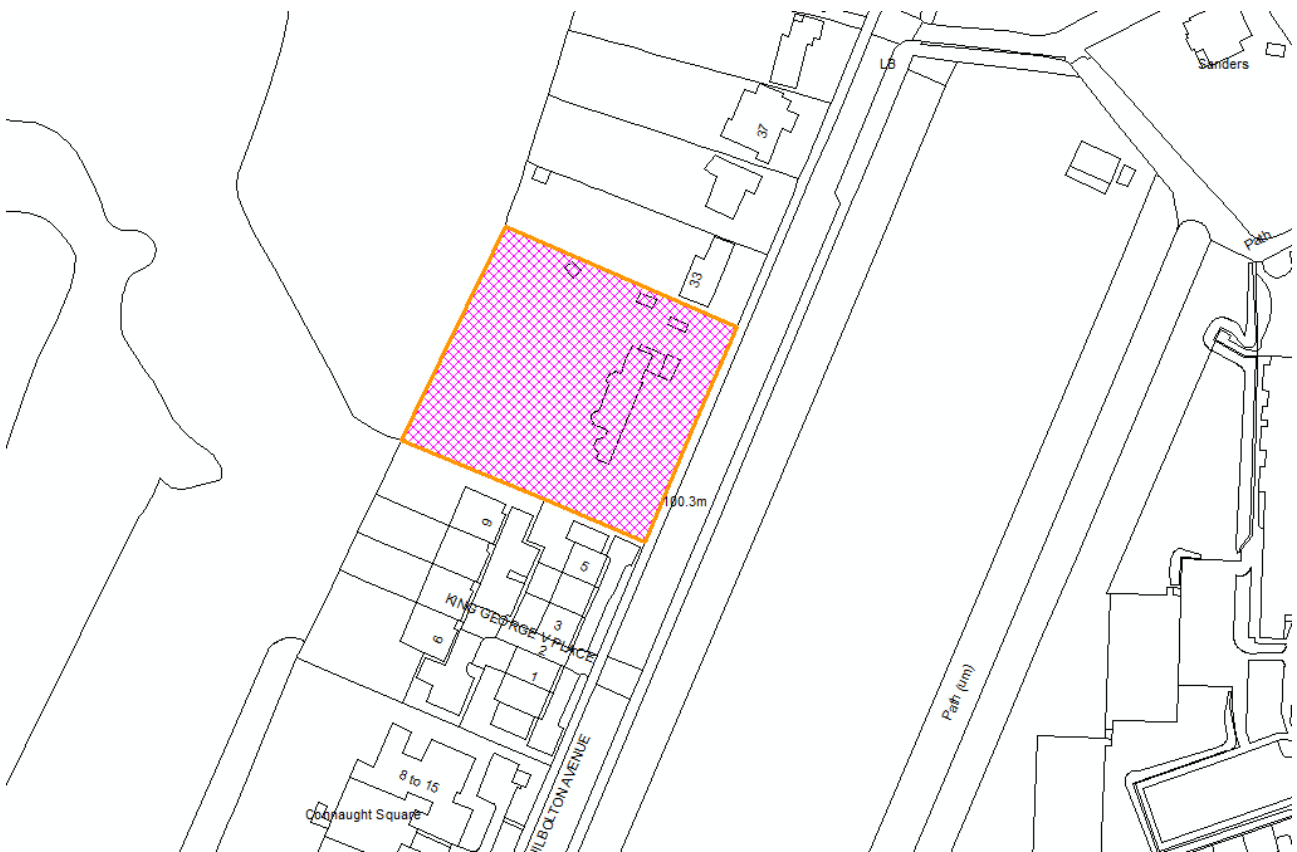


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/00239/FUL
Proposal Description: Removal of the existing dwelling (and associated outbuildings).
The construction of 9 no new dwellings, associated garages
and landscaping (AMENDED PLANS)
Address: Brae House 31 Chilbolton Avenue Winchester Hampshire
SO22 5HE
**Parish, or Ward if within
Winchester City:** St Paul
Applicants Name: Mr Machola
Case Officer: Mrs Megan Osborn
Date Valid: 31 January 2023
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 23/00239/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 permission as it is considered that it will not result in a detrimental impact on the character of the area and would not harm neighbouring residential amenity in accordance with policies CP13, CP20 of the LPP1 and Policies DM15-DM17 and of the LPP2.

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

8065/D01/G – Proposed site plan
8065/D02/C – Plot 1 proposed lower ground and ground floor plans
8065/D03/C – Plot 1 proposed first and second floor plans
8065/D04/C – Plot 1 proposed roof plan
8065/D05/C – Plot 1 proposed front and rear elevations
8065/D06/B – Plot 1 proposed side elevations
8065/D07/B – Plot 2 and 3 proposed ground and first floor plans
8065/D08/B – Plot 2 and 3 proposed second floor plans
8065/D09/B – Plot 2 and 3 proposed roof plan
8065/D10/B – Plot 2 and 3 proposed elevations
8065/D11/B – Plot 4 and 5 proposed basement plan
8065/D12/B – Plot 4 and 5 proposed ground floor plans
8065/D13/B – Plot 4 and 5 proposed first floor plans
8065/D14/B – Plot 4 and 5 proposed second floor plans
8065/D15/B – Plot 4 and 5 proposed roof plan
8065/D16/B – Plot 4 and 5 proposed front and rear elevations
8065/D17/B – Plot 4 and 5 proposed side elevations
8065/D18/C – Plot 6 proposed ground and first floor plans
8065/D19/C – Plot 6 proposed second floor and roof plans
8065/D20/C – Plot 6 proposed elevations
8065/D21/B – Plots 7 and 8 proposed ground and first floor plans
8065/D22/B – Plots 7 and 8 proposed second floor and roof plans
8065/D23/B – Plots 7 and 8 proposed elevations
8065/D24/B – Plot 9 proposed ground and first floor plans
8065/D25/B – Plot 9 proposed second floor and roof plans
8065/D26/B – Plot 9 proposed elevations
8065/D27/A – Plot 1 proposed garage and car port plans and elevations
8065/D28/B – Plots 6, 7 and 8 proposed garage plans and elevations
8065/D29/A – Proposed site sections
8065/D32/B – Section through Plot 1 and 9 King George V Place
8065/D33 – Section through 9 KGVP, looking towards plot 1
123-101 Rev C – Landscape strategy plan

These amended plans were received on the 18th May and the re-advertised to all neighbours for 21 days. These were received as a direct request from the planning officer. The amendments include:

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1. Plots 1, 2 and 3 all moved up the site towards the south east.
2. Carport to Plot 1 moved up the site towards the south east.
3. Lead veranda/canopy and side screens added to the rear terrace to plot 1.
4. Roof design to the plot 1 garage/carport changed to fully hipped roof.
5. Plots 2 and 3 combined to create linked detached units.
6. Roof lanterns removed to Plots 2, 3 and 4.
7. Plots 4 and 5 have been moved south westwards.
8. Single storey side entrance removed from plot 5 and replaced with carport.
9. Additional hedge/tree screening added to section of north east boundary, which runs between plots 5 and 6.
10. Plot 6 moved further towards the south east to bring the rear corner in line with the rear of 33 Chilbolton Avenue.
11. Plot 6 moved southwestwards and redesigned to enable a greater separation to the northeastern boundary. Overall separation distance with 33 Chilbolton Avenue increased to in excess of 4m.
12. Plot 6 proposed elevational treatments changed to omit render.
13. Direct access from Chilbolton Avenue to plots 6 and 9 omitted. All plots now served off existing single access point at the center of the site.
14. Existing yew hedge which runs parallel to Chilbolton Avenue at the front of the development now retained throughout.
15. Triple staggered hedge added to length of boundary with Golf Course as requested by ecology.

Site Description

The site is located on the western side of Chilbolton Avenue. The site consists of a large house to the front centre of the plot. The front boundary with the road is currently a hedge with estate railings and a small amount of vegetation.

There is an existing vehicular access from Chilbolton Avenue for the house and another disused access to the north of this.

There is a dwelling located to the north of the site, which forms a row of detached dwellings all of different designs.

There is a development of houses to the south of this site that comprise of 9 dwellings (14/02356/FUL). This was refused and then allowed on appeal.

To the west of the site is the Royal Winchester Golf Club.

Proposal

The proposal is for the demolition of the existing house and the replacement with 9 dwellings.

Relevant Planning History

77/01134/OLD - Erection of extension to provide car port. PER 6th October 1977.

80/00521/OLD - Erection of extension to provide conservatory. PER 21st May 1980.

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97/01003/FUL - 2 No dormer windows with balconies on West elevation, to replace existing. REF 11th July 1997.

97/01788/FUL - Enlargement of two rear dormers in roof. PER 14th November 1997

00/00011/FUL - Single storey side extension and below ground cellar. PER 14th February 2000.

Consultations

Service Lead for built environment: landscape

No objection

Service lead for Built environment: Ecology

Additional information was required. This was provided and no objections were raised, subject to condition 15.

Service lead for Built environment: Trees

No objections, subject to conditions 17-23

Natural England

No objection

Hampshire highways

An objection was raised to the creation of three access points onto Chilbolton Avenue. No objection to the trip generation and parking.

Service lead for Environmental services: Drainage

No objections, subject to a drainage condition 13

Southern water

No objection

Representations:

City of Winchester Trust

- The Trust regrets the loss of one of the remaining original houses on Chilbolton Avenue. Therefore the Trust objects to this application.

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

- The proposed dwellings are too large
- The new access points are unnecessary and this would remove hedge

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- This site has drainage problems
- Plot 1 car port is too high
- The development would result in loss of light
- There is inadequate drainage information
- Not in keeping with surrounding character of area.
- The proposal is too dense.
- Impact on wider landscape
- This house should be retained
- Impact on road safety
- Impact on wildlife
- Objection to position of houses to the back
- The proposal would result in overlooking
- Impact to neighbouring properties
- Loss of privacy

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

- The will provide much need houses and the style and density of the houses is acceptable in relation to the character of the area.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

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

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 CP11 – Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

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

DM1 – Location of New Development

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DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Design Principles
DM18 – Access and Parking

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Chilbolton Avenue Local Area Design Statement 2006

Other relevant documents

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030
Statement of Community Involvement 2018 and 2020
Landscape Character Assessment December 2021
Biodiversity Action Plan 2021
Position Statement on Nitrate Neutral Development – March 2022

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 site is located within the built up area of Winchester, where the principle of development for housing is considered acceptable. In addition Chilbolton Avenue has seen a number of developments recently. The principle of development is therefore acceptable subject to the assessment of material considerations, detailed Local Plan policy and the Chilbolton Avenue Local Area Design Statement (CALADS), which is considered further below.

Policy CP2 of the Local Plan Part 1 considers housing mix. The policy requires that there should be a majority of 2 & 3 bed dwellings, unless local circumstances indicate an alternative approach should be taken. This application is for 9 dwellings, 4 no. four bedroom dwellings and 5 no. three bedroom dwellings. This provides 50% three bedroom dwellings and, although doesn't meet the strict requirements of policy CP2 (2 and 3 bedroom dwellings), it is accepted that, in the local circumstances of the surrounding area of Chilbolton Avenue, this flexible approach is accepted. It is therefore considered that this proposal would meet the criteria of policy CP2 of the Local Plan Part 1.

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

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The proposed development is located on Chilbolton Avenue, within Winchester. In 2006 the Chilbolton Avenue Local Area Design Statement was adopted (CALADS).

In terms of the CALADS this site is within character area D, which is explained as 'mostly large properties set in extensive grounds, partly set behind a mature tree belt. Open views of, and highly visible from, the golf course and open country to the west'.

There are a number of other developments in this character area showing increasing density of housing on redeveloped housing plots, with blocks located to the front of the site and houses to the rear towards the rear boundary with the golf course. The neighbouring site to the south of this, number 29 Chilbolton Avenue, was redeveloped around 2016 (14/02356/FUL), which was for the demolition of the existing dwelling and the erection of 9 dwellings on a similar size plot to this (now known as King George V place). This application was refused by the council and then allowed on appeal.

There are a few comparisons to this site proposal in that this was also for 9 dwellings and there is a similar layout with a central access from Chilbolton Avenue with housing to the front and rear of the site. The design of the dwellings of King George V place (KGV) differ from this proposal in that KGV has traditional terrace style houses to the front and contemporary architecture to the houses at the rear. The houses to the rear are also 4 storeys in height.

The front dwellings of the application site broadly follow the building line of the other dwellings to the north and the south. The main rear elevation of the houses to the rear broadly follow the building line of the houses to the south at George V Place (KGV). There is a single storey section, with a flat roof, the rear of all the dwellings (plots 1-5), which does project further than the houses at the neighbouring site, KGV, and there is an open balcony area over the top of the single storey element on plot 1 with side screening proposed. This difference in building line to the rear is considered acceptable in relation to the view of this site from the golf course to the west as this element is much lower and the main bulk is in the dwellings upper floors. Whilst this scheme does move further into the plot than the neighbouring site, there would still be sufficient space to the rear of the site for the properties to have fairly long gardens and therefore would be acceptable in this context.

Due to the level changes on the site, which slopes down to the west and down from the south to the north, the proposed dwellings have taken advantage of this and the houses to the rear are two or three storey to the front and then 3 storey (plots 2,3 and 4) and 4 storey (plots 1 and 5). Therefore, due to the design and the level changes they are still considerably lower than the houses at King George V to the south. The mass and bulk of the dwellings are therefore considered acceptable in relation to the character of the site and surrounding area. The houses to the front do not dominate the street scene and are in keeping with the surrounding context.

The number of dwellings and layout of the site is considered acceptable, an important feature of this character area mentioned in the CALADS is the views to the countryside beyond. The layout of the dwellings, with gaps between them, allow for this feature to be retained. There is also sufficient space for landscaping around these houses that this proposed would not feel too cramped within the site.

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The dwellings proposed are all of a traditional design, with materials that are both sympathetic to the design and the surrounding area. It is considered that the design of the dwellings is acceptable in relation to the character of the wider setting of Chilbolton Avenue and the character of the immediate area. This development would not appear incongruous in this setting.

There are some important trees to the southern boundary of the site, which must be protected, tree officers have been consulted and are happy with the location of the dwellings in relation to the trees and the protection proposed for the trees.

Therefore the proposal complies with the Chilbolton Avenue Area Design Statement and policies CP13 of the LPP1, DM15,16 and 17 of the LPP2 and the supplementary planning document High Quality Places in that it retains the large houses in large plots and the design, layout, mass and bulk of the proposed dwellings is acceptable.

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 Parks.

The application site is located 1.9km from the South Downs National Park within a built up area and in this context it is not considered that the development would 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.

Neighbouring amenity

Plot 1 has windows on the southern elevation of the dwelling at the first floor and some on the second and third floors, which will face towards the development at King George V Place. The higher windows are for stairs and not habitable rooms and the one on the ground floor towards the front of the house is for a downstairs toilet, therefore these would not result in an unacceptable level of overlooking. There are two windows to the lounge area, at the first floor on either side of the chimney. It is considered that the window nearest the front of the dwelling would be acceptable in terms of overlooking as it would look towards the side wall of the neighbouring dwelling and the other window is acceptable as there is a pleached hedge proposed on the side boundary with the neighbouring dwelling. The side of the balcony is proposed to be obscurely glazed and therefore it would not result in a level of overlooking towards the neighbouring amenities, this has therefore has been conditioned to be obscurely glazed (Condition 5).

When considering these windows and the side of the plot 1 in relation to the neighbouring property at King George V Place, there is sufficient space between them and already sufficient screening to prevent any material planning harm in terms of overbearing towards private amenities.

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There are windows on the other side elevation (north), however these are only on the ground floor and therefore would not result in overlooking. There is a window on the first floor, this is for a bathroom and therefore would be obscurely glazed. The side of the balcony would also be obscurely glazed.

Plot 2 proposes a bedroom window on the third floor of the southern elevation and side windows on the northern elevation to stairs and therefore this would not result in any harmful overlooking. Plot 3 is a mirror of plot 2 with stair windows on the southern elevation and a window to a bedroom on the third floor.

Plot 4 has windows on the southern side, however these are in a different alignment to the proposed windows on the northern side of plot 3 and therefore this would not result in any unacceptable overlooking.

There are no windows on the northern elevations of plot 5 or plot 6 and therefore this would not result in any material planning harm in terms of overlooking towards no. 33 Chilbolton Avenue.

There is a bathroom window in the southern elevation of plot 6 and a bathroom window in the northern elevation of plot 7, which will both be obscurely glazed.

There are no windows in the southern elevation of plot 7 or the northern elevation of plot 8 or the northern elevation of plot 9.

There is a proposed window in the southern elevation of plot 9, this is for the stairs of this dwelling and is a sufficient distance away from the neighbouring dwelling as to not result in any material harm in terms of overlooking.

There are windows to the rear of the plots to the front of the site and to the front of the plots to the rear of the site, however due to the level changes and the distance this would not result in an unneighbourly relationship that would warrant the refusal of this application.

There is sufficient distance between properties and from neighbouring dwellings that this proposal would not result in any overbearing impact on neighbouring amenities.

Due to discussions, the developer has pulled plots 5 and 6 away from the neighbouring boundary to the north, with number 33, and it is therefore considered that these dwellings would not result in any material planning harm in terms of overbearing or overshadowing on these neighbouring amenities.

Therefore the proposal complies with policy DM15, DM16 and DM17 of the LPP1 in that it would not result in any material planning harm towards neighbouring amenities.

Sustainable Transport

The development has sufficient parking for the size and amount of development proposed.

Following advice, the applicant has amended the plans to remove the original three access points from Chilbolton Avenue. There is only the one proposed access onto the
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site, which is considered acceptable and in line with the character of the surrounding area and the visibility splays proposed.

A Refuse vehicle will have the ability to enter the site, turn and leave in a forward gear.

HCC Highways have raised no objections to these proposals as amended.

Therefore the proposal complies with policy DM18 of the LPP2.

The site is within the area covered by the Air Quality Supplementary Planning Document but is not within the Air Quality Management Area which is within the city centre. An Air Quality Checklist was submitted with this application which agreed to all items.

Ecology and Biodiversity

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 required as the proposal is for overnight accommodation affecting Nitrates and Phosphates. Therefore an appropriate assessment was carried out and concluded;

There is a net increase of 8.No dwellings on urban land and therefore, it is likely that there will be an impact from nutrients associated with the proposed development entering the Solent (25.25 Kg/N/year nitrates made and 0.23kg/TP/year). Winchester City Council has adopted a Grampian condition which requires a mitigation package addressing the additional input to be submitted to, and approved in writing by, the LPA.

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 to Nitrates and Phosphates 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. The applicant has demonstrated that there is a viable scheme for the mitigation of the impact of additional phosphates. The LPA will secure details of this agreement.

It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2018.

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Under Reg 63(4) of the Habs Regs the Council considers that it is not appropriate, to take the opinion of the general public, and have not therefore further advertised the Appropriate Assessment due to the small scale of the proposal.

All species of bat and their roosts are protected under the Habitats and Species Regulations 2017 (as amended).

Mitigation for bat, reptiles and nesting birds will be ensured through condition 15 where full details are set out in the applications Ecological Assessment report.

Ecology enhancements and BNG are conditioned also in 15 and are set out in the assessment report.

There are no other issues affecting this legislation or the SPA and SAC, therefore the proposal complies with policy CP16 of the 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. Condition 11 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

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

Sustainable Drainage

The site is served by southern waters foul mains and the site can connect to this. A condition is recommend asking for details of foul and surface water to ensure the provision of an adequate and sustainable drainage system. (Condition 13)

Therefore the proposal complies with policy DM17 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 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 applicant has worked with officers and amended plans accordingly. The proposal for 9 dwellings in this location is acceptable and not out of character to the spatial characteristics of the surrounding area. The proposal will be visible from the neighbouring properties but will not have an unacceptable adverse impact on residential amenity.

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Overall the scheme is well designed and will create a distinctive addition to the local area. Other planning considerations, such as landscape, ecology drainage, water, construction and waste management have been addressed appropriately. The application is therefore considered acceptable.

Recommendation

Application Permitted subject to the following condition(s):

Conditions

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the plans listed below unless otherwise agreed in writing by the local planning authority:

- 8065/D01/G – Proposed site plan
- 8065/D02/C – Plot 1 proposed lower ground and ground floor plans
- 8065/D03/C – Plot 1 proposed first and second floor plans
- 8065/D04/C – Plot 1 proposed roof plan
- 8065/D05/C – Plot 1 proposed front and rear elevations
- 8065/D06/B – Plot 1 proposed side elevations
- 8065/D07/B – Plot 2 and 3 proposed ground and first floor plans
- 8065/D08/B – Plot 2 and 3 proposed second floor plans
- 8065/D09/B – Plot 2 and 3 proposed roof plan
- 8065/D10/B – Plot 2 and 3 proposed elevations
- 8065/D11/B – Plot 4 and 5 proposed basement plan
- 8065/D12/B – Plot 4 and 5 proposed ground floor plans
- 8065/D13/B – Plot 4 and 5 proposed first floor plans
- 8065/D14/B – Plot 4 and 5 proposed second floor plans
- 8065/D15/B – Plot 4 and 5 proposed roof plan
- 8065/D16/B – Plot 4 and 5 proposed front and rear elevations
- 8065/D17/B – Plot 4 and 5 proposed side elevations
- 8065/D18/C – Plot 6 proposed ground and first floor plans
- 8065/D19/C – Plot 6 proposed second floor and roof plans
- 8065/D20/C – Plot 6 proposed elevations
- 8065/D21/B – Plots 7 and 8 proposed ground and first floor plans
- 8065/D22/B – Plots 7 and 8 proposed second floor and roof plans
- 8065/D23/B – Plots 7 and 8 proposed elevations
- 8065/D24/B – Plot 9 proposed ground and first floor plans
- 8065/D25/B – Plot 9 proposed second floor and roof plans
- 8065/D26/B – Plot 9 proposed elevations
- 8065/D27/A – Plot 1 proposed garage and car port plans and elevations
- 8065/D28/B – Plots 6, 7 and 8 proposed garage plans and elevations
- 8065/D29/A – Proposed site sections
- 8065/D32/B – Section through Plot 1 and 9 King George V Place

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8065/D33 – Section through 9 KGVP, looking towards plot 1
123-101 Rev C – Landscape strategy plan
Transport Note – by Nick Culhane

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

3. No development shall take place above DPC level until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

4. 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 windows other than those expressly authorised by this permission shall, at any time, be constructed in the first, second and third floors and roof elevations of the dwellings hereby permitted.

Reason: To protect the amenity and privacy of the adjoining residential properties.

5. All bathroom windows in the dwellings hereby permitted and the side screen of the balcony on plot 1 shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

Reason: To protect the amenity and privacy of the adjoining residential properties.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no development permitted by Classes B and C of Part 1 Schedule 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

7. A detailed scheme for landscaping and landscaping management, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development above damp proof course level commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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Reason: To improve the appearance of the site in the interests of visual amenity.

8. No development above damp proof course level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

9. Before the development hereby approved is first brought into use, the parking as shown on the 'proposed site plan' (8065/D01F) shall be provided within the curtilage of the site and thereafter maintained and kept available.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

10. No development, or works of site preparation, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

11. Prior to the commencement of the development hereby permitted, detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of a 'design stage' Standard Assessment Procedure (SAP) calculation and a water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 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 demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use(110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of an 'as built' stage SAP calculation and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval. The development shall be occupied in accordance with the approved details.

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Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirement 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 commences.

Reason: To ensure satisfactory provision of foul and surface water drainage.

14. The development hereby permitted shall NOT BE OCCUPIED until:

- a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

15. The development shall be carried out in accordance with the measures set out within Preliminary Ecological Appraisal Report carried out by Ecus Ltd dated October 2022, the Great Crested Newt eDNA survey Report by Ecus dated May 2023, the Nocturnal Bat Survey Report by Ecus dated June 2023 and the Biodiversity Net Gain Assessment (revised V1.6) by Ecus dated July 2023. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To provide adequate mitigation and enhancement for protected species.

16. Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals. 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). 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 appearance of the area, the environment and protected species from light pollution.

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17. Protective measures and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/SH/31CHILBOLTON/001 Revision A written by Kevin Cloud of Technical Arboriculture and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

18. The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Implications Assessment, Arboricultural Method Statement and Tree Protection Plan Ref:- AIA/AMS-KC/SH/31CHILBOLTON/001 Revision A and Tree Protection Plan Ref:- TPP-KC/31CHILB/001 Revision A Telephone Tree Officer. 01962 848360.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

19. The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848360

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

20. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- AIA/AMS-KC/SH/31CHILBOLTON/001 Revision A

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

21. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Appraisal and Method Statement AIA/AMS-KC/MH/BEECHWOOD/002 shall be agreed in writing to the Local Planning Authority.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

22. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

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Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

23. Following the removal of the trees hereby consented, new trees will be planted as per the landscaping plan provided by Technical Arboriculture, ref:- AIA/AMS-KC/SH/31CHILBOLTON/001 Revision A. The new trees shall be planted within a period of 1 year of full planning permission being granted and will be planted during the next planting season between November and February.

The precise size, species, location or period of time will be agreed in writing with the council.

If, within a period of 2 years from the date of planting, the tree(s) (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent.

Reason: To maintain the tree cover and the contribution that trees make to the character and amenity of the area.

24. Prior to work commencing on the site a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Construction parking
- Public communication strategy, including a complaints procedure.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, footpaths and highways.
- Details construction traffic management measures including the provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development
- Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control

Works shall be undertaken in accordance with the approved details.

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

25. An electric vehicle charging point (EVCP) in accordance with the Air Quality SPD Appendix F - Electric Vehicle Infrastructure Specification shall be installed prior to the commencement of the parking or any other ancillary or incidental use of the garage hereby approved, and thereafter maintained and kept in good working order for the lifetime of the permission.

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Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations, and in accordance with WCC Air Quality SPD and LPP1 Policy CP13 which requires measures to minimise carbon emissions and promote renewable energy.

Informatives:

01. 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was updated of any issues after the initial site visit.

02. 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA3, CP2, CP3, CP11, CP12, CP13, CP14, CP16, and CP17

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM2, DM14, DM15, DM16, DM17, DM19, DM29 and DM32

04. 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.

05. 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.

06. 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

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private roads. Any damage to these areas should be remediated as soon as is practically possible.

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>

07. 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.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

08. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

09. Replacement of trees is enforceable in law and failure to comply with the condition could result in the issue of a tree replacement notice and prosecution if the local planning authority believes that the criteria of the condition has not been met. Trees make an important contribution to the character of the landscape, creating a green environment which we all enjoy. Winchester City Council encourages the planting of new trees to replace any that are felled in order to maintain the positive benefits that trees provide