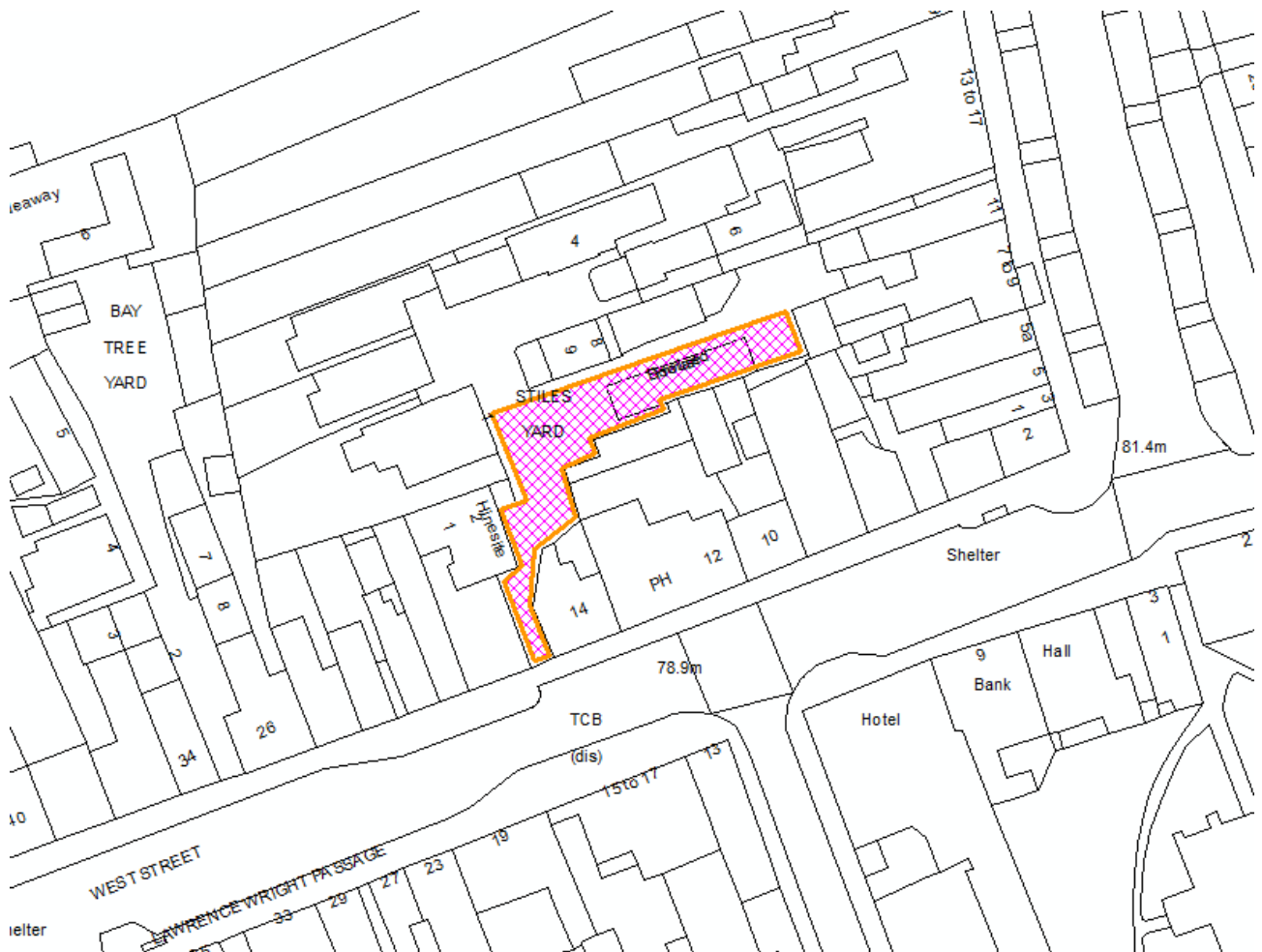


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/01481/FUL
Proposal Description: Use of existing commercial building as a healthcare practice (Use Class E(e)).
Address: Bowland House West Street Alresford Hampshire SO24 9AT
Parish, or Ward if within Winchester City: New Alresford Town Council
Applicants Name: Mr James Nuttall
Case Officer: Mrs Megan Osborn
Date Valid: 25 July 2023
Recommendation: Application Permitted
Pre Application Advice: No

Link to Planning Documents

[Link to page – enter in reference number 23/01481/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 is an acceptable form of development in this location that would not result in detrimental harm on the character of the area and would not harm neighbouring residential amenity. Therefore it is in accordance with policies CP8 and CP9 of the LPP1 and policies DM7, DM17, DM18 and DM27 of the LPP2.

General Comments

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

The application was reported to committee as a request from Cllr Margot Power of Alresford and Itchen Valley Ward. Her comments are below in the representation section of this report.

Site Description

The application site is located within the town of Alresford within the development boundary and the Conservation Area.

Bowland House is a two storey commercial building located in Stiles Yard, which is accessed via West Street. The existing building is currently vacant, but it was last used as a mix of office and showroom.

Stiles Yard is a small yard that has a mix of commercial premises and housing. There is a small amount of parking in the yard.

There are listed buildings located to the south, along West Street and east of the site along Broad Street.

Proposal

The proposal is to change the use of Bowland house to be used as a healthcare practice. This will offer private GP and other complimentary healthcare services, such as physiotherapy to serve the local community. The proposed use would be classified as Class E in the planning use class order.

Relevant Planning History

84/00219/OLD - Change of use from double garage to showroom/office. Permitted 13th September 1984.

91/00134/OLD - Change of use from garage/store to office/showroom and alterations. Refused 5th March 1991.

91/00135/OLD - Change of use of part of ground floor from garage and store to showroom and office with alterations. Permitted 25th June 1991.

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Consultations

Service Lead for Environment (Environmental Protection)

No objections

Service lead for Historic Environment

No objections

Hampshire Country Council: Highways Authority

No objections

Representations:

Councillors Margot Power (Alresford & Itchen Valley ward)

On paper this appears to be a good use of the existing building. However, the access to the building, and its parking and cycle spaces is via a very single road, which is shared with pedestrians, off a very busy pavement. Access to the site frequently causes reversing onto the pavement and on to the traffic stream on West Street when somebody comes the other way. As a treatment centre it is to be expected that there will be clients - with three practitioners that would be 48 additional traffic movements on that access road a day. That is unsafe and unacceptable.

Should you be minded to approve this application I ask that it be referred to committee, and that a site visit be organised on a weekday so that committee members can see the hazards for themselves. I would also ask that the Highways Authority be asked for a view.

Alresford Town Council

No objections

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

- This development will result in a danger to the people in Styles Yard.
- There is not enough parking provided.
- This would result in too many car movements in and out of the site.
- This would result in impact to other surrounding businesses.
- The use class E is wide ranging and could open this up to too many other uses.
- Narrow access to yard for emergency vehicles.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
8. Promoting healthy and safe communities

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- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 16. Conserving and enhancing the Historic Environment

National Planning Practice Guidance

Climate change
Consultation and pre-decision matters
Determining a planning application
Effective use of land
Healthy and safe communities
Natural environment
Noise
Renewable and low carbon energy
Travel Plans, Transport Assessments and Statements
Historic Environment

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

DS1 – Development Strategy and Principles
MTRA2 – Market Towns and Larger Villages
CP8 – Economic Growth and Diversification
CP9 – Retention of employment land and premises
CP10 – Transport
CP11 - Sustainable Low and Zero Carbon Built Development
CP13 – High Quality Design
CP20 – Heritage and Landscape Character

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

DM1 – Location of New Development
DM7 – Town, District and Local Centres
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM27 – Development in Conservation Areas
DM29 – Heritage Assets

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Alresford Town Design Statement (2008)

Other relevant documents

New Alresford Conservation Areas Technical Assessment
Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030
Statement of Community Involvement 2018 and 2020
Winchester District Ten-Year Green Economic Development Strategy 2021
Winchester District Economic Development Strategy 2010-2020

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Hampshire Economic Assessment
Waste Management Guidelines and Bin Arrangements

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) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

This application is for the change of use from offices and showroom to a healthcare service. All of these uses fall with the use class E and would therefore not normally require planning permission for the change of use.

The reason that this needs planning permission is that there was a condition imposed on the original approval of this building as an office and showroom to restrict the building to these uses only. The reason being: In order to limit the use and occupation of the building in accordance with the terms of the application.

When assessing this, consideration is given to the fact that the site is within the settlement boundary where development would be supported in principle in accordance with policies DS1 and MTRA2 of the LPP1 and DM1 and DM7 of the LPP2. More specifically, policies CP8 and CP9 of the LPP1 encourage economic development and look to retain existing employment use where possible. It is considered that this proposal is in line with these policies and that this an acceptable form of development in this location. Therefore the principle of this development is acceptable.

The New Alresford Design Statement was published in 2008 and one of its objectives is to meet the towns housing and business needs in an integrated, environmentally friendly way. It is considered that this proposal is in line with the aims of the 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

This application proposes no physical change to the external appearance of the building and therefore it is considered that this would not result in any impact on the character and appearance of the area.

There will be a change of use of the building from offices and showroom to a health care practice, however, it is considered that the new use would not result any significant changes that would result in further harm to the character of this central area of Alresford.

Therefore it is considered that the proposal complies with the Alresford Town design statement and policies CP13 of the LPP1, DM15, DM16 and DM17 of the LPP2 and the
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supplementary planning document High Quality Places in that the development would not result in any significant harm on the character of the surrounding area.

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 1.415 km from the South Downs National Park. In these circumstances and considering the proposal results in no external changes to the building, it is considered that 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 development is within the New Alresford Conservation Area and surrounded by many listed buildings. The following legislation and policies are taken into account in the assessment and determination of this planning application.

Relevant Legislation

The preservation of the special architectural/historic interest of the nearby listed buildings and their settings (S.66 P(LBCA) Act 1990; Policy DM29 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

Guidance

The consideration and assessment of due regard is required in relation to the relevant legislation and guidance as outlined within the Historic Environment/Archaeology consultation response

As such due regard has been given to Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990) which confirms that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Listed Building/Structure. Case law has established that where an authority finds that a development proposal would harm the setting of a listed building, it must give that harm “considerable importance and weight”.

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The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets. Paragraph 199 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy CP20 of WDLPP1 and Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

Bowland House has previously been occupied by mixed commercial and business uses, including a showroom and office (now use classes E(a) and E(g)). The conversion for use as a healthcare practice (E(e)), would maintain the building in a commercial / business use, with no physical alterations to the property. On that basis, the change of use would have no impact on the character or appearance of the surrounding conservation area, and would not affect the significance of any nearby listed buildings, via change within their respective settings.

It is therefore considered that the proposal will result in no harm to the significance of the setting and historic interest of the nearby listed buildings, Section 16 para 199 of the NPPF (2021), S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CP20 of WDLPP1 and DM29 of WDLPP2 and the historic environment section of the Planning Practice Guidance.

It is also considered that the proposal will preserve the character or appearance of the conservation area in accordance (S.72 P (LBCA) Act 1990; and preserve or enhance the character and historic interest of the Conservation Area in accordance with Policies DM27 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

Neighbouring amenity

There are no physical changes to the building and no alterations to windows and therefore this would not result in any further material planning harm in terms of overlooking, overshadowing or overbearing.

The proposed change to use this building as a healthcare facility would not result in any more material planning harm to the surrounding residential amenities.

Therefore it is considered that the proposal complies with policy DM15, DM16 and DM17 of the LPP1.

Sustainable Transport

The proposed development involves the change of use of an existing commercial building, into a healthcare practise. It is proposed to use Bowland House in connection with a healthcare practice, to offer private GP and healthcare services to the community of New Alresford.

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The site is an existing commercial building situated in Stiles Yard, accessed via West Street. West Street is a classified road subject to a 30mph speed limit providing further access to Station Road and Broad Street. New Alresford is considered a sustainable location.

The vehicular access to the proposed healthcare practice will be via the existing access from West Street. The existing access is currently in use, and the change in flow of vehicles is likely to be minimal. A trips assessment has been carried out using the TRICS database. The resultant trip rates are 1.394 AM peak trips and 2.605 PM trips. This would result in a traffic generation of 3 vehicles in the AM peak, 5 in the PM peak and a total of 62 daily vehicle movements. The Highway Authority considers these trip rates to be slightly lower than expected. However, it is acknowledged that the increased trip rates would lead to a very modest increase over the vehicle trips that are forecast for the proposed development.

Therefore, whilst the trip rate is not accepted, officers raise no concerns over the increase in trips associated with the proposed development and the Highway Authority has advised there is no justifiable reason for refusal from a highway perspective and have no objections to the proposed development being served by the existing access.

The site is accessible by more sustainable means. There are a number of footways in the vicinity of the site, which provide links to the proposed healthcare practice.

There are also bus and cycle connections: The nearest bus stop is located on West Street, 0.1km from the site. This stop provides a frequent service such as Stagecoach Route 64, between Ropley Dean and Winchester Town Centre, twice every hour Monday – Saturday. A less regular service, running eight times a day (Monday – Friday), can also be found here connecting users to Winchester Bus Station, Kings Worthy, Itchen Valley, West Meon and Petersfield. An additional local Alresford service, running twice a day during business hours on Monday – Thursday, providing users with connections to Ropley Bishops Sutton, Gundleton, Bighton, New and Old Alresford.

The site is situated on the Sustrans route 23 on the National Cycle Network. This cycle network provides good cycle connections to Winchester and Alton and further connections to Basingstoke via Bighton, Lower Wield, Bradley, Ellisfield and Cliddesden.

In regard to parking, whilst it is noted that there are 4 spaces proposed to the rear, officers have requested that this is reserved for staff parking and disabled parking only, which has been agreed by the applicant and condition 4 covers this. Given there is public parking in the local vicinity for short term patient / client parking via a mix of formal on-street and car parking areas, it is not foreseen that parking for those visiting the healthcare practice will be an issue.

Therefore it is considered that the proposal complies with policy CP10 of the LPP1 and DM18 of the LPP2.

The site is outside the Air Quality Policy area and therefore no Air Quality assessment is required for this development.

Sustainability

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Policy CP11 requires new developments to meet the lowest level of carbon emissions and water consumption. This development is for the conversion of an existing building and therefore this is not required in this instance.

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 is for the change of use from office/showroom (Class E) to a health care facility (Class E). The only reason that this requires planning permission is due to a condition on the previous application restricting the use.

The site is within the settlement boundary where development is acceptable in principle. The use as a healthcare facility will bring a facility and service to central Alresford providing further economic opportunities and further employment to this area.

It is considered that it is an acceptable form of development in this location that would not result in detrimental harm on the character of the area and would not harm neighbouring residential amenity. There are no objections on highway safety grounds.

Therefore it is in accordance with policies DS1, MTRA2, CP8, CP9, CP10, CP11, CP13 and CP20 of the LPP1 and policies DM1, DM7, DM15 to DM18, DM27 and DM29 of the LPP2.

Recommendation

Application Permitted, subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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:

Site location plan

Proposed location and site plan EX/P001

Existing and proposed elevations EX/P200

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Existing and proposed ground and first floor plans EX/P100

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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020 as amended (or any Order revoking and re-enacting that Order with or without modification), the use hereby permitted shall only be for healthcare practice (E(e)) and no other use within the E class.

Reason: In the interests of the locality.

4. Prior to the first use of the proposal hereby permitted a plan shall showing allocated parking spaces for staff and disabled parking shall be submitted to and approved in writing by the local planning authority. Thereafter no parking shall take place on the application site apart from for staff and disabled parking in accordance with this approved plan.

Reason: In the interest of highway safety.

Informatives:

1. In accordance with paragraph 38 of the NPPF (July 2019), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

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

2. 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA2, CP8, CP9, CP10, CP11, CP13 and CP20

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM7, DM15, DM16, DM17, DM18, DM27 and DM29

4. 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.

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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. Where construction site working hours are limited by a planning condition you can apply under Section 74B of the Town and Country Planning Act 1990 which provides a temporary fast track to vary existing conditions.

<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

5. 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.

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

For further advice on this please refer the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7. 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

8. The applicant should ensure that the Trade Effluent discharge licence has been obtained, before the connection to the public sewerage network can be approved.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the
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foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.