

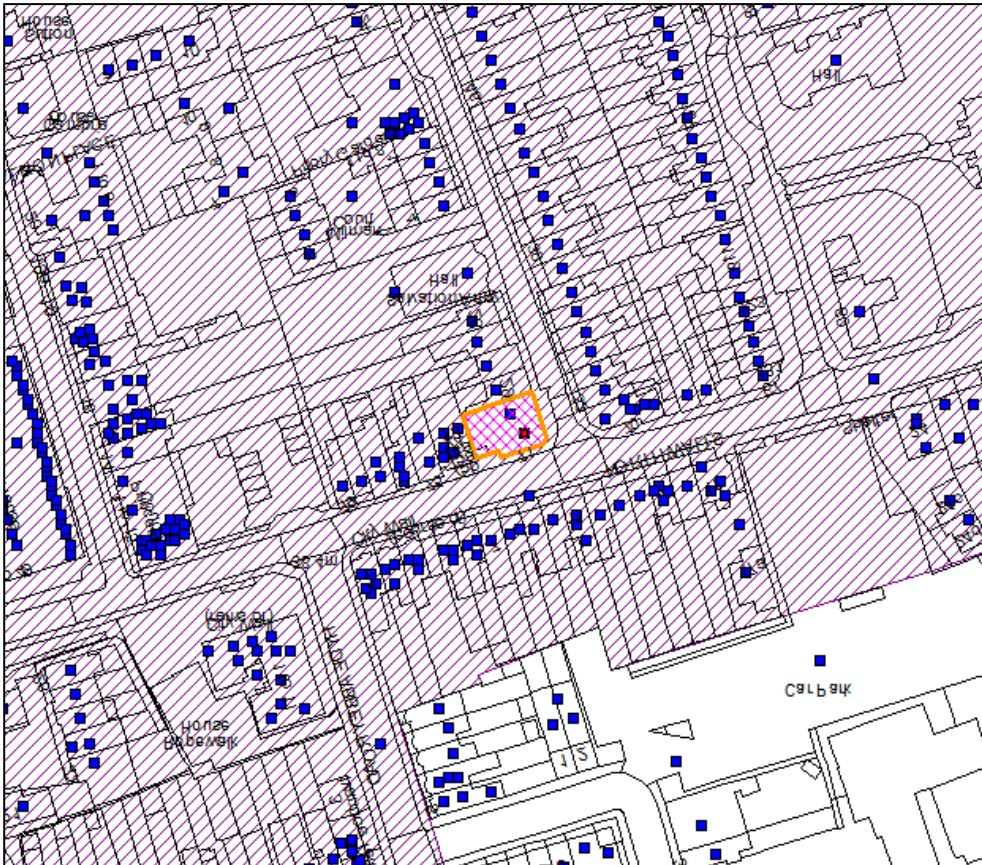
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 22/00860/FUL
Proposal Description: Change of use from former public house to residential. Demolition of 20th Century portion of the building. Two storey extension and refurbishment to create 6no one bedroom flats with associated bin and cycle storage.
Address: Corner House 71 North Walls Winchester Hampshire SO23 8DA
Parish, or Ward if within Winchester City: St Michael
Applicants Name: WCC New Homes Team
Case Officer: Catherine Watson
Date Valid: 6 May 2022
Recommendation: Application Permitted
Pre-Application Advice No

Link to Planning Documents

[Link to page – enter in reference number: 22/00860/FUL.](#)

<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 benefit the local community as it will provide 6 social housing units in accordance with policy CP2 of the LPP1. It will have a positive impact on the character of the area in accordance with Policies DM15 and DM16 of the LPP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

General Comments

The application is reported to Committee as it has been submitted by the Council and more than 1 objection has been received, contrary to the officer's recommendation to permit.

Amendments to Plans Negotiated

None

Site Description

The site is situated at the junction of Parchment Street and North Walls, in Winchester city centre.

The existing building is a former public house dating from the late 19th/early 20thC and whilst not statutorily listed, is considered to be a non-designated heritage asset due to the retention of many of the external decorative features. It is also situated within the Winchester Conservation Area and there are a number of listed buildings in the area. To the north of the building is an attached, single storey modern extension and garage which adjoin flats at numbers 73-75 North Walls.

Proposal

The proposal is for the change of use of the former public house and the addition of a two-storey extension in order to form 6 one-bed flats with associated bin and cycle storage.

Relevant Planning History

None relevant.

Consultations

Service Lead – Built Environment (Archaeology) –

- Comment. The site is in an area of archaeological potential. Pre-commencement and post-fieldwork conditions are required.

Service Lead – Built Environment (Historic Environment) –

- Comment. Retention and conversion of existing building, preserving its original appearance, is supported. The replacement of windows is disappointing, and the prominence of the proposed solar panels is concerning.

Service Lead – Built Environment (Urban Designer) –

- Comment. Concerns re solar panel impact and materials need to be addressed.

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Service Lead – Engineering (Drainage) –

- No objection, subject to condition.

Service Lead – Sustainability and Natural Environment (Ecology) –

- No objection, subject to conditions.

Service Lead – Public Protection (Environmental Health) –

- No objection. Conditions regarding air quality and noise recommended.

Southern Water -

- No objection. A formal application is required for connection to the public foul sewer.

Representations:

City of Winchester Trust

- The Trust welcomes the proposal to convert the property to 6 residential units.
- Disappointed with the utilitarian two storey side extension.
- Overall, the Trust is neutral on the application.

3 objecting representations received from different addresses citing the following material planning reasons:

- The proposed extension is not suitable for the conservation area.
- There is insufficient justification for the loss of the pub. Insufficient marketing has been carried out to demonstrate that the use as a community facility cannot be retained.

Objection received from the Campaign for Pubs stating the following:

- WCC has not carried out an assessment of the pub's viability;

1 general comment received:

- Complaining about the state of the building as it has been empty for a number of years.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed and beautiful places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment.

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National Planning Practice Guidance

- Air Quality
- Appropriate assessment
- Climate change
- Community Infrastructure Levy
- Consultation and pre-decision matters
- Design: process and tools
- Determining a planning application
- Effective use of land
- Flood risk and coastal change
- Historic environment
- Housing supply and delivery
- Natural environment
- Noise
- Renewable and low carbon energy
- Use of planning conditions
- Water supply, wastewater and water quality

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

WT1 – Development Strategy for Winchester Town

CP1 – Housing Provision

CP2 - Housing Provision and Mix

CP6 – Local Services and Facilities

CP11 – Sustainable Low and Zero Carbon Built Development

CP13 – High Quality Design

CP14 – The Effective Use of Land

CP16 – Biodiversity

CP17 – Flooding, Flood Risk and the Water Environment

CP10 – Heritage and Landscape Character.

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

WIN1 – Winchester Town

WIN2 – Town Centre

WIN3 – Views and Roofscape

DM1 – Location of New Development

DM2 – Dwelling Sizes

DM7 – Town, District and Local Centres

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM18 – Access and Parking

DM19 – Development and Pollution

DM20 – Development and Noise

DM26 – Archaeology

DM27 – Development in Conservation Areas

DM28 – Demolition in Conservation Areas

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

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Air Quality Supplementary Planning Document 2021
Affordable Housing SPD February 2008 with amendment 2012.
Winchester Conservation Area Appraisal

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Nature Emergency Declaration.
Statement of Community Involvement 2018 and 2020
Biodiversity Action Plan 2021
Biodiversity Action Plan Update July 2023
Waste Management Guidelines July 2023
Technical Guidance for Noise 2022
Position Statement on Nitrate Neutral Development – February 2020
Historic England Guidance:
Good Practice Advice in Planning 2: Managing Significance in Decision-Taking in the
Historic Environment | Historic England (2015)
Good Practice Advice in Planning 3: The Setting of Heritage Assets | Historic England 2nd
Edition (2017)
Conservation Principals Policies and Guidance 2008
Historic Environment Good Practice Advice in Planning: 4
Published 30 June 2020
Winchester Future 50 Conservation Area Project 2018-2020
Ancient Monuments and Archaeological Area Act 1979

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.

The site is situated within the settlement boundary of Winchester and therefore, new residential development is acceptable in principle, subject to compliance with relevant local and national planning policy including DS1 of the WD Local Plan Part 1 (LPP1) and DM1 of the WD Local Plan Part 2 (LPP2).

The proposed development is for affordable social housing, owned by WCC. The preamble for policy CP1 of the LPP1 states that affordable housing needs are considerable. Policy CP2 states that new residential development should meet a range of community housing needs and deliver a wide choice of homes, with priority being given to the provision of new affordable housing.

The current site was latterly used as a public house which has now been unoccupied for several years. Policy CP6 of the LPP1 resists changes of use of local pubs and shops, setting out a policy approach as to how the development will be assessed. Evidence has been submitted with regards to the marketing of the premises as a pub over a number of years with no interest in its purchase for that use. This information and analysis demonstrate that the change of use to residential is justified given the lack of interest in the former use of the pub.

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Marketing of the pub.

The council commenced the purchase of the premises in December 2019 and this was completed on 30.03.2020. This followed an extensive marketing exercise on behalf of the previous owners, carried out by Savills.

In October 2018 instructions were received by Savills to commence marketing at a price of £700k. An advertising board was erected on the premises on 07.11.2018 and it was listed on the Savills website, as well as EG Propertylink, Rightmove Commercial and The Morning Advertiser. It was also e-marketed on a monthly basis to Savills' company database of active applicants. The original freehold guide price subject to vacant possession was £700k. This was reduced to £650k in January 2019 and again to £500k in late October 2019. The marketing process resulted in a handful of viewings, however, no formal expressions of interest from hospitality or retail operations, either to lease or to buy, were received.

The main reasons for non-viability given by the prospective purchasers were as follows:

- The site is in a tertiary hospitality location and there is poor footfall and connectivity to the High Street by comparison.
- The internal trading areas are small and inflexible.
- No outside trading areas means there is limited appeal.
- The property would require a level of capital expenditure.
- The competition from other similar premises was too great and the opportunities to create a viable commercial asset were limited.

The main interest was from the developer sector, however, the opportunities to deliver a profitable residential/commercial development were limited. The issues included restrictions around the mass of development permitted (as a result of planning and conservation issues) and falling house prices which were considered to be a risk with regards to turning over a reasonable profit. In Spring 2019, the property was put under offer to a private developer who wished to convert the property into a family home. This deal became financially abortive, and no other formal offers were received until WCC made its offer.

The council considered that the marketing undertaken by Savills was of a sufficient period to be able to demonstrate that there was no viable interest in the premises as a hospitality or retail facility.

In considering the loss of local services and facilities, which public houses are considered to be, the key policy is CP6 of the LPP1.

It states that *“Development proposals should not threaten or result in the loss of premises or sites used to provide services and facilities unless it can be demonstrated that....the site or building has no reasonable prospect of being used as an alternative service or facility which would benefit the local community”*.

The marketing exercise as detailed above, was carried out over a 12-month period and no interest was shown in taking it on, either as a public house, restaurant, café or other F&B (food and beverage) sector use. A pub is in a use class of its own however, it is also worth noting that the Government has opened up the Use Class Order (2020), Class E, to allow for other commercial uses such as retail, cafes and restaurants.

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Policy CP6 also goes on to state the following:

“When considering proposals, account will be taken of:

- *Whether the loss of the service or facility would cause harm for those living within the neighbourhood, settlement or rural catchment with a reasonable need to access such facilities in the future; and*
- *Whether the loss of the facility would have a detrimental impact upon the overall vitality and viability of the settlement”.*

In addition to CP6, Section 88 (d) of the NPPF 2023 also states:

“Planning policies and decisions should enable:

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”

Section 97 (c) of the NPPF 2015 also states:

“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

(c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”.

The site is situated on the northern outskirts of the town and does not form part of the busy hub of the city centre, which is approximately 270m away (from the southern end of Parchment Street) and mainly congregated around the key streets of Jewry Street, High Street, The Square and The Broadway. This part of Parchment Street/North Walls is neither considered to be primary shopping frontage as defined in policy DM8, nor secondary shopping frontage as defined in DM9 of the LPP2. The site is within the town centre as defined by policy DM7 of the LPP2 where the loss of town centre uses (such as a public house) at ground floor level will be resisted unless it can be demonstrated that the new use will maintain and enhance the vitality and viability of the centre. It is noted in this case that the site is on the very edge of the defined town centre and that the northern part of Parchment Street consists predominantly of residential uses whereas the southern part, nearer to the main hub, is characterised by commercial uses. North Walls also has a high proportion of residential properties, along with takeaways, a tattooist’s and hairdressers.

Given the above and the failure of the premises to either sustain the existing pub use or attract new F&B interest, it can be argued that the Corner House no longer performs as a local service as defined under CP6. Other pubs, restaurants and cafes are available a short walk away, in more attractive locations which have outdoor dining facilities and, in the case of the High Street and The Square, are pedestrianised. The loss of the facility is not considered to have a detrimental impact upon the overall vitality and viability of the settlement and would not cause harm to those living within the settlement.

The proposal therefore complies with the relevant parts of CP6 and NPPF (2023) Sections 88 (d) and 97 (c).

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It is also considered that the proposal complies with Policy DM7 which resists the loss of town centre uses as the site is on the very edge of the town centre, surrounded by residential uses, and it is considered that a change of use to affordable housing here will do more to maintain and enhance the vitality and viability of the centre than the current situation.

Proposal for new social housing.

The proposal is for the conversion of the existing building alongside the construction of a two-storey extension, into 6 no 1-bed flats for affordable housing.

Notwithstanding the above discussion of the principle of the change of use, new dwellings within the settlement boundary are considered to be acceptable in principle, subject to compliance with other relevant local plan policies.

Winchester City Council has a programme to build affordable housing within the District, consistent with policy CP1 of the LPP1. Policy CP2 of the LPP1 states that new residential development should meet a range of community needs with the priority being given to the provision of new affordable housing.

CP2 also states that the majority of the homes should be in the form of 2 and 3 bed houses unless local circumstances indicate an alternative approach. In this case, it is accepted that converting a building of this size in a city centre location with no amenity space does not lend itself to larger or family sized dwellings. Furthermore, there is an identified need for smaller units in the District and 6no 1-bed homes will go some way to satisfying this requirement. This requirement for 1-bed accommodation is evidenced in information from the council's social housing register which shows that as of March 2022 there were 776 applicants on the Hampshire Home Choice register that required 1-bed accommodation. Of these applicants, over a third (228) have advised that their first preference is to live in Winchester city centre.

Therefore, it is considered that the proposals comply with policies CP1 and CP2 of the LPP1 and that the provision of affordable, 1-bed housing is a positive benefit for the community from this proposal.

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 surrounding area consists primarily of late 19th/early 20thC two storey terraced housing, with some more modern commercial properties interspersed. Immediately adjoining the site to the west is a modern block of flats (74-75 North Walls).

Both the Corner House and 70 North Walls to the east, address the corner of the junction and are of a different visual character and massing to the surrounding terraces. The Corner House retains a low profile similar to that of the terraces, whilst 70 North Walls is significantly taller, having three storeys. Holy Trinity Church is Grade II listed and situated approximately 100m to the east. Princess Court and numbers 14-19 St Peter Street are also Grade II listed and situated approximately 60m to the west.

North Walls slopes gently from north-west to south-east.

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It is proposed to retain the external appearance and detailing of the existing building, with the roof to be replaced like for like. To the north, the proposed extension will be flat roofed and two storeys in height. Large windows will be installed on the North Walls elevation, surrounded by timber cladding and built on a grey brick plinth.

Where it adjoins the neighbouring flats, the extension will be constructed with grey brick and will have a zinc clad roof with lantern rooflights installed. On top of the flat roof, a number of solar panels will be installed.

The proposed extension is considered to be appropriate to the character of the surrounding area. It is low-key in design and will not dominate the streetscene. It will allow for the addition of two flats, in combination with the four proposed in the existing building. Condition 3 requires details of the materials, finishes and architectural detailing will be included to ensure a high-quality appearance.

Therefore, the proposal complies with policies DS1, CP13 and CP20 of the LPP1 and WIN1, WIN2, WIN3, DM1, DM15, DM16, DM17 of the LPP2 as well as the High Quality Places SPD policies HQB1-8.

Development affecting the South Downs National Park

The application site is located 0.26km 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 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

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

The development is within the Winchester Conservation Area and the building is considered to be a non-designated heritage asset as defined in Section 16 of the NPPF (2023). The following legislation and policies are considered in the assessment and determination of this planning and listed building application.

Relevant Legislation

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

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The preservation of a non-designated heritage asset (Policies DM29 & DM32 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16).

The historic environment section of the Planning Practice Guidance 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 205 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 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy CP20 of WDLPP1 and Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

The building is considered to be a non-designated heritage asset which is also situated within the Winchester Conservation Area.

It is an attractive building dating from the late 19th/early 20thC, has retained a high degree of historic integrity to its external appearance and is considered to make a positive contribution to the street scene of both Parchment Street and North Walls. The retention and conversion of the existing building in a manner which preserves its appearance and architectural features is welcome.

The two southernmost windows are to be replaced with doors and the poor-quality single storey cat-slide extension to the rear is to be removed. The existing windows are to be replaced; a number of them are modern however, it appears that some of the glazing is original. The preference of the historic environment officer is that these windows would be retained and overhauled, perhaps with the installation of secondary glazing. Whilst this is noted, the historic environment officer goes on to say that there is a balance to be struck and provided that balance would result in the character and appearance of the conservation area is preserved, the statutory test will have been met.

In this instance, it is considered appropriate to replace the existing windows with double glazed units, as long as they are of a design, detail and profile that reflects the original historic windows. Condition 4 will require details of the proposed windows to be submitted to and approved in writing prior to the commencement of that part of the construction. Given the site's location on the busy North Walls one-way road system, noise and fumes from traffic would likely be an issue should the existing single glazed units be retained. The council's environmental health officer has commented on this further.

Another concern of both the historic environment and urban design officers is the installation of solar panels to the east and west roof slopes and the flat roof. The reason for this is the potential for visual intrusion to the streetscene and conservation area. Whilst the concerns of the consultees are understood, a climate emergency was declared by the council in 2019 and it is considered that it is appropriate for new residential development to incorporate renewable energy sources into the build. The provision of solar panels on a non-designated heritage asset in a conservation area necessitates careful consideration of the type of product, its profile and its finish to minimise visual intrusion. Condition 5
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requires technical details of the proposed solar panels, which also show how they will sit within the roof slopes, to be submitted prior to the relevant works commencing. It is considered reasonable to request the details via condition as the technology for solar panels is fast-moving and the council wants to ensure that the most energy efficient, appropriate solution is utilised.

It is considered that the proposed extension aligns well with the Corner House in terms of the relationship between the horizontal elements and that the proportions and size of the windows, and the spaces between them, have been informed by the Corner House. Whilst it would be desirable for the height of the flat roof to be level with the eaves of the Corner House, this detail would not fundamentally alter the perception of the scale of the extension or its impact on the streetscene. It is considered to be an improvement on the existing single storey extension. Insufficient information has been submitted to show the degree of articulation to the North Walls elevation. Condition 6 will require these details to be submitted.

In conclusion, the impact on the character and appearance of the conservation area will lead to less than substantial harm to the significance of the heritage asset however, it is considered that this meets the statutory test as set out in NPPF Para. 208 due to the public benefits and securing of the optimum viable use of the site.

The proposal does not result in the loss of the non-designated heritage asset and therefore meets the statutory test for harm as identified in para 209 of the NPPF.

The design of the proposed extension is appropriate to the context of the site and locale, and it is not considered that there would be any impact on the setting of the nearby listed buildings.

It is considered that the proposal will preserve the character and 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 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

Neighbouring amenity

The nearest residential properties are nos 74-75, flats which immediately adjoin the site to the north-west, no 29 Parchment Street which adjoins to the south, 70 North Walls and nos 32 and 33 Parchment Street which are situated opposite to the east. In addition, numbers 8 – 11 North Walls are situated opposite, to the north.

At first floor level on the Parchment Street elevation, the existing windows are being retained. They will serve a living room and bedroom. The existing first floor window on the North Walls elevation is also being retained and will also serve a bedroom. Four new windows will be constructed on the proposed extension. These will serve a bedroom and living area. No windows are proposed on the north-west elevation of the extension however, the southern elevation will contain 3no high level windows. Whilst it is acknowledged that the residential use of the building will be intensified, the first floor already has a residential use and therefore, it is not considered that there would be any significant additional harm caused by the new flats in the original building. The use of the high-level windows to the south elevation of the extension will also help to reduce any potential for overlooking to the adjacent property.

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The proposed new first floor windows on the extension will face towards the windows at nos 9 and 10 North Walls however, given that this is a predominantly residential area it is not considered that any impact would be significantly greater than other properties which face each other on this road.

The ground floor windows on the existing building will be retained, whilst 4no new ground floor windows will be included in the extension. These will serve living rooms in the flats.

A Daylight and Sunlight study has been undertaken in order to assess the potential impact on the neighbouring properties. The new west-facing wall at first floor will be stepped back 1m from the neighbouring building and its roof will be below the sill height of the neighbouring window. This ensures that the neighbouring flats will still receive daylights and will have a direct view of sky. The study concludes that the proposed development would have an imperceptible impact on the skylight and an acceptable impact on the sunlight available to all existing surrounding residential windows.

Therefore, the proposal complies with policy DM17 of the LPP2.

Sustainable Transport

No parking or vehicular access is proposed for the development, which is situated within the built-up area of Winchester. Flat 1 is accessed from the corner of the building at Parchment Street/North Walls. Flat 2 is accessed through the communal bin store/bike area and flat 3, which is within the new extension, will be accessed from North Walls. The first-floor flats will be accessed via the communal area on Parchment Street.

Given the site's location within walking distance of the main city centre shops and the rail station, along with its proximity to bus routes on North Walls, it is not considered necessary to provide dedicated parking facilities due to the sustainable location. There is no parking permitted on North Walls and Parchment Street has permit parking. The council does not issue permits for new residential development. On site, there is sufficient room for cycle storage on the ground floor.

In addition, given the site's constrained location, it is considered appropriate to condition (17) a construction management plan to ensure the highway and pavement are not adversely impacted during the construction phase.

Therefore, the proposal complies with policy DM18 of the LPP2 as well as the Parking Standards SPD.

Ecology and Biodiversity

The site is not situated in proximity to a SSSI, SAC or other area of ecological importance. The River Itchen, a SSSI, is approx. 270m to the east.

An ecological impact assessment has been carried out. This designated the site as being of negligible value for foraging bats and of site value for commuting bats. Roosting bats were assessed as being "likely absent" from the site. The opportunities for nesting birds on site were limited in extent and there are other available possible nesting habitats in the area. No new external lighting has been proposed.

Proposed compensation measures include the installation of 2no bat access tiles and 2no nest boxes for breeding birds.

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Enhancement measures include additional bat boxes on the eastern wall. The proposed sparrow nest boxes should be changed for swift boxes. The new part of the building should have 2no integrated swift boxes/bricks. The recommendations in the ECOSA report will be conditioned (condition 7) and elevations showing the locations of the proposed bat and bird boxes should be submitted by condition 8 prior to the commencement of works.

The development therefore complies with The EU Habitats Directive and Conservation of Habitats & Species (Amendment) Regulations 2011.

Therefore, the proposal complies with policy CP16 of the LPP1.

Appropriate Assessment.

The proposed development is for 6no new units of residential accommodation – a net increase of 5no units. The first floor of the existing building already has a residential use. The existing unit has an area greater than 50sqm and therefore, in accordance with Nationally Described Space Standards, the applicant has demonstrated that it can be classed as a 1-bed dwelling with an occupancy rate of 2 persons. As a result, the total occupancy of the entire development would be 6. Taking account of the existing residential unit, the net new population for the development would therefore be 4 persons.

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

Natural England's nutrient budget calculator does not provide for existing accommodation and therefore, an average occupation figure of 0.67 has been used in stage 1 to show the new load from the 4 additional persons. The LPA considers this to be an accurate occupancy figure given the securities provided by the physical size of the units.

As an alternative to imposing occupancy restrictions in tenancy agreements the applicant proposes an alternative methodology for calculating the nitrate mitigation requirements for the development. The LPA agree that these should be adopted for the following reasons:

There is robust evidence that demonstrates that occupation of 1 bed homes will be by single people.

- Both the shared ownership and rented 1 bed properties are designed as 1 person properties in accordance with the 1 bed/1 person space standards (39 sqm) contained in the Nationally Described Space Standards.
- It is envisaged that the 1 bed homes will be attractive to working households at the start of their career, including younger people who wish to take the first steps away from their family home or shared/student housing. Long term occupation by a growing household is unlikely because of the property sizes.
- Households are likely to be entitled to join the Council's Housing Register if a 1 bed property no longer meets their needs and they meet the Register eligibility criteria. The Council will then be able to assist them in securing alternative more suitable accommodation.

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Therefore, mitigation requirements are stated below.

The nutrient budget pre-2030 is as follows:

- Total Nitrogen (TN): 5.26kg/TN/year
- Total Phosphate (TP): 0.20kg/TP/year

The nutrient budget post-2030 is as follows:

- Total Nitrogen (TN): 1.81kg/TN/year
- Total Phosphate (TP): 0.06kg/TP/year

There will therefore be a reduction post-2030 of 3.45kg/TN/year of nitrogen and 0.14kg/TP/year of phosphorous.

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 nutrient neutral development and the guidance on nutrients from Natural England.

The authority's appropriate assessment is that Winchester City Council will upgrade one of its Wastewater Treatment Works which will provide suitable mitigation in respect of both nitrogen and phosphorous. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard. Condition 9 will be attached to the consent to ensure this mitigation is adopted and retained.

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.

Sustainability

Proposals which involve part conversion and part new build will be required to meet the national guidance in the building regulations. Condition 10 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with. Condition 11 then requests as-built data prior to the occupation of the unit to ensure that the requirements have been met.

Solar panels are proposed to provide renewable energy. The existing building will be retrofitted with high levels of insulation and the existing chimney, which represents a thermal break in the envelope, will have foam glass and a new chimney tray fitted.

A key part of making the building thermally efficient is the replacement of the windows. As discussed earlier, these will be subject to the design and detailing being appropriate for the historic architectural context of the existing building and surrounding area.

The site is situated within the Winchester air quality catchment area. The Air Quality SPD requires an air quality statement to be submitted for development of less than 10 dwellings.

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This states that no solid fuel heating appliances or open fireplaces are to be installed, appropriate secure weatherproof cycle storage shall be provided and any gas boilers need to meet a minimum standard for emissions. Finally, comprehensive literature on public transport options should be provided to the purchaser/tenants of all new dwellings. The AQS has been reviewed by the environmental protection team and is considered to be acceptable.

Given the site's location next to a busy road, noise attenuation and mitigation measures are required. The conclusions and recommendations of the Sustainable Acoustics noise report (20-0061-1 R01 dated 19th May 2020) are accepted and will be conditioned (12).

The proposal therefore complies with policy CP11 of the LPP1 and DM19 and DM20 of the LPP2.

Sustainable Drainage

The proposal will have no significant impact on flood risk grounds because it is primarily a conversion; the existing drainage system can be utilised. The connection for foul drainage can be updated in cooperation with Southern Water. Condition 13 will cover the submission of foul and surface water drainage. The development therefore accords with policy DM17 of the LPP2.

Archaeology

The site is adjacent to and partly overlying, the line of the northern city defences which date back to the Roman period. In particular, it lies over the predicted alignment of the first and second phase Roman ramparts. Beyond these, there is little further information on the layout and nature of occupation and activity in this part of the Roman town. Nearby archaeological investigations uncovered several late medieval pits relating to medieval tenements.

The site of the proposed two storey extension is currently occupied by existing 1.5 and single storey extensions. Given their date and size, it is considered unlikely that buried archaeological remains below the site have been impacted by the foundations of these existing extensions however, groundworks for the proposed extension for foundations (which are likely to be deeper than the existing), together with the excavation of any new service and drainage trenches may impact on buried archaeological remains. A programme of archaeological mitigation work will be secured via conditions 14-16.

The proposal therefore complies with policy DM26 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.

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Planning Balance and Conclusion

The site is within the settlement of Winchester where residential development is acceptable in principle. While it will result in the loss of a facility and a town centre use, it is considered that it has been adequately demonstrated that the premises no longer performs as a local service and its loss is not considered to have a detrimental impact upon the overall vitality and viability of the settlement or town centre and would not cause harm to those living within the settlement. In addition to this, the proposal will provide much needed affordable housing. It is a well-designed scheme and features such as the proposed solar panels and new windows are considered acceptable in this historic context subject to high quality detailing. Other planning considerations such as sustainable transport, drainage, archaeology, residential amenity and air quality have been satisfactorily address.

The proposal is therefore considered to be acceptable and in accordance with the development plan.

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 approved shall be constructed in accordance with the following plans:

Location Plan AP001 received 21.04.2022

Block Plan AP002 received 21.04.2022

Proposed Ground Floor and First Floor Plan AP051 received 21.04.2022

Proposed Roof Plan AP050 received 21.04.2022

Proposed Elevations AE200E received 21.04.2022

Proposed Elevations AE201E received 21.04.2022

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

3. No development beyond slab level shall take place 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. Details of the proposed windows to be replaced in the existing building including materials, section and profile details and all types of finishes, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted above slab level.

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Reason: To preserve the character and appearance of the conservation area and non-designated heritage asset in accordance with policies DM27 and DM28 of the Winchester District Local Plan Part 2 Adopted 2017, Policy CP20 of the Winchester District Joint Core Strategy and NPPF Section 16.

5. Technical details of the proposed solar PV panels, including finish and profile in relation to the roof of the existing building and proposed extension, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the roof.

Reason: To preserve the character and appearance of the conservation area and non-designated heritage asset in accordance with policies DM27 and DM28 of the Winchester District Local Plan Part 2 Adopted 2017, Policy CP20 of the Winchester District Joint Core Strategy and NPPF Section 16.

6. Details of the articulation of the windows, doors and other architectural detailing for the extension shall be submitted to and approved in writing by, the Local Planning Authority prior to the commencement of the development hereby permitted above slab level.

Reason: To preserve the character and appearance of the conservation area and non-designated heritage asset in accordance with policies DM27 and DM28 of the Winchester District Local Plan Part 2 Adopted 2017, Policy CP20 of the Winchester District Joint Core Strategy and NPPF Section 16.

7. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within the Ecological Impact Assessment by Ecosa, dated January 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.

8. The locations of the proposed bat and swift mitigation and compensation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby permitted.

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

9. 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

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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.

10. 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, unless alternative measures of carbon emissions and water consumption are agreed 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 2019 and to accord with the requirement of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

11. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the Equivalent of Code for Sustainable Homes Level 4 for Energy and Equivalent of Code for Sustainable Homes Level 3 / 4 for water, shall be submitted to and approved in writing by the Local Planning Authority, unless alternative measures of carbon emissions and water consumption are agreed in writing by the local planning authority. The development shall be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2019 and to accord with the requirement of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

12. Prior to occupation of the development hereby permitted, full details demonstrating how the proposed premises will be suitably protected from external noise or vibration shall be submitted to and approved in writing by the Local Planning Authority.

Development must then continue in accordance with the approved details. Any mitigation measures must be in operation prior to the occupation of the development.

Reason: To ensure acceptable noise levels within noise sensitive premises are maintained.

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 occupation of the development hereby permitted.

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

14. With regards to the construction of the new extension hereby permitted, no development or any works of site preparation other than demolition of the existing lean-to extension and associated structures, shall take place until the applicant or their agents or successors in title have implemented a programme of archaeological assessment (comprising trial trenching) in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

15. With regards to the construction of the new extension hereby permitted, no development or any works of site preparation other than demolition of the existing lean-to extension and associated structures, shall take place until the applicant or their agents or successors in title have implemented a programme of archaeological mitigation works, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No development or site preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

- The programme and methodology of site investigation and recording
- Provision for post investigation assessment, reporting and dissemination
- Provision to be made for deposition of the analysis and records of the site investigation (archive)
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

16. Following completion of all archaeological fieldwork, within 9 months (unless otherwise agreed in writing) a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

17. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved by the Local Planning Authority, to include details of:

- i. construction traffic routes in the local area
- ii. parking and turning of operative, construction and visitor vehicles
- iii. deliveries, loading and unloading of plant and materials

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- iv. storage of plant and materials
- v. programme of works (including measures for traffic management)

Only the approved details shall be implemented during the construction period.

Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of local residents, or to existing natural features.

Informatives:

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

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

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

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

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

WT1 – Development Strategy for Winchester Town

CP1 – Housing Provision

CP2 - Housing Provision and Mix

CP6 – Local Services and Facilities

CP11 – Sustainable Low and Zero Carbon Built Development

CP13 – High Quality Design

CP14 – The Effective Use of Land

CP16 – Biodiversity

CP17 – Flooding, Flood Risk and the Water Environment

CP10 – Heritage and Landscape Character.

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

WIN1 – Winchester Town

WIN2 – Town Centre

WIN3 – Views and Roofscape

DM1 – Location of New Development

DM2 – Dwelling Sizes

DM7 – Town, District and Local Centres

DM15 – Local Distinctiveness

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM18 – Access and Parking

DM19 – Development and Pollution

DM20 – Development and Noise

DM26 – Archaeology

DM27 – Development in Conservation Areas

DM28 – Demolition in Conservation Areas

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3. This permission is granted for the following reasons:

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

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.

5. 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, please refer to the Construction Code of Practice

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