

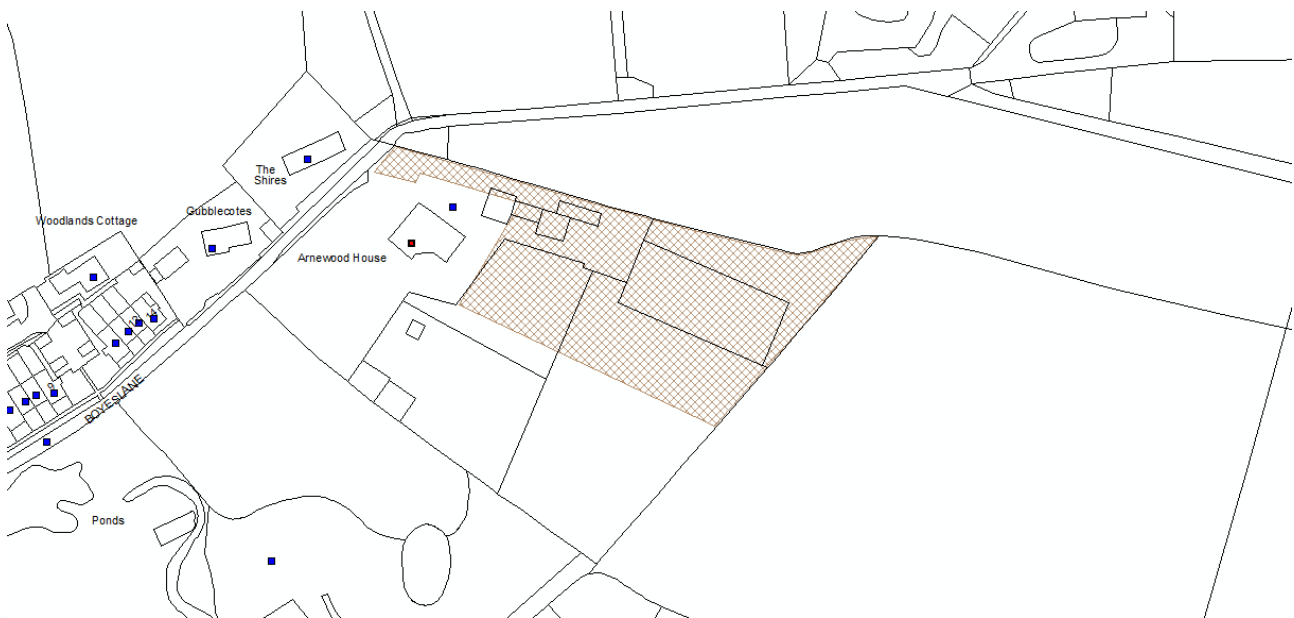
WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 23/02585/FUL  
**Proposal Description:** Demolition of existing buildings and menage and replacement with a self-build dwelling (Use Class C3), garaging, landscape, biodiversity enhancements and associated works; Package Treatment Plant  
**Address:** Arnewood House Boyes Lane Colden Common Winchester Hampshire  
**Parish:** Colden Common PC  
**Applicants Name:** Mr Massey & Dr McGeoch  
**Case Officer:** Liz Young  
**Date Valid:** 6 December 2023  
**Recommendation:** Approve  
**Pre Application Advice** No

### Link to Planning Documents

23/02585/FUL

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



© Crown Copyright and database rights Winchester City Council Licence 100019531

### Reasons for Recommendation

Notwithstanding the fact that the proposal would introduce a new dwelling in open countryside contrary to LPP1 Policy MRTA4, in this instance it is concluded that there are overriding material considerations (in this case the identified shortfall in custom and self build housing) which support the principle of the proposed development.

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

The proposal has been designed to minimise its impact upon the local environment and no significant harmful adverse impacts have been identified. In considering this alongside the enhancements which would be secured in respect of both landscape and biodiversity it is concluded that the granting of planning consent is justified.

### **General Comments**

Colden Common Parish Council have requested for the application to be determined by Planning Committee (full comments set out below).

### **Amendments to Plans Negotiated**

None

### **Site Description**

The application site extends to approximately 0.6 hectares and includes part of the residential curtilage of Arnewood House, a detached residential dwelling (including its access) and an area of equestrian land to the east. A riding arena and cluster of stable buildings (consented in 2011) occupy the north section of the site, which is bounded by a number of mature trees. Grazing land lies to the south and east. The site is not directly adjoined by any other residential properties other than Arnewood House - a substantial, detached property which was built as a replacement of a more modest dwelling following the granting of planning consent in 2003. The built up area of Colden Common (the defined settlement boundary) lies just over 80 metres to the south west.

### **Proposal**

Consent is sought to construct a detached single storey dwelling and detached garage. Both the dwelling and outbuilding would be located immediately rear of Arnewood House and south west of the riding arena which (along with the existing stabling) is proposed to be removed. The dwelling would share the existing access to Arnewood House and the driveway would run along the north boundary of the site. The outbuilding would be positioned immediately alongside the house and would comprise a three bay garage.

The proposal would incorporate a contemporary design with a mono-pitched roofline reaching a maximum height of 4.5 metres. The dwelling would comprise 5 bedrooms and would have a gross internal area would be 345 sqm (including 70 square metres of garaging). External facing materials to the main house would comprise flint and facing brickwork. The garage would be timber clad. Roofing across both the house and garage would be zinc and solar panels are proposed on the roof of the garage.

Because the site slopes away slightly to the south the southern section of the dwelling would be built up slightly, and the design would include a raised walkway, decking area and steps around the south east and south west elevations.

The development would be served by a package treatment plant which would be located in the south west corner of the site. Details of this have been included as part of the application submission.

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Relevant Planning History**

Change of use of land to equestrian and construction of fenced all weather exercise area (RETROSPECTIVE) (11/02349/FUL) permitted 30.11.2011

(HOUSEHOLDER) Erection of stables and storage area (RETROSPECTIVE) (11/02348/FUL) Permitted 30.11.2011

Replacement five bedroom dwelling (03/00488/FUL) Permitted 03.04.2003

Replacement five bedroom dwelling (02/02995/FUL) Refused 30.01.2003

**Consultations**

Service Lead – Engineering (Drainage) – No objections subject to conditions

Service Lead – Sustainability and Natural Environment (Ecology) – No objection subject to ecological enhancement plan

Service Lead – Sustainability and Natural Environment (Trees) – No objections subject to conditions

Natural England – No objections subject to appropriate mitigation being secured

Southern Water - Southern Water – No objections raised

Minerals and Waste Planning Authority (Hampshire County Council) – No objections raised

District Licensing Officer (Great Crested Newts) - Hampshire – No objections subject to a Mitigation Method Statement being produced by a suitably qualified ecologist

**Representations:**

Colden Common Parish Council – Objection raised: Comment in full

*“What is proposed is a creation of a separate residential unit in the countryside, which would be unacceptable as it is contrary to policies MTRA4 of Winchester Local Plan Part 1 and DM15 and DM23 of Winchester Local Plan Part 2.*

*Furthermore, we note that representations on the application raise questions on a public sewer potentially crossing the development site, and questions on the soakaway drainage. Given the current issues with sewage system in Colden Common being overwhelmed and discharging sewage in Brambridge, a new development will add pressure on the drains and sewage problems in the village.*

*For the reasons above the Parish Council objects to this application. If the planning officer is minded to approve this application under delegated powers, we would ask that the application is determined by the Winchester City Council Planning Committee.”*

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

No third party comment received

**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework (December 2023)

Chapter 2 – Achieving Sustainable Development  
Chapter 5 - Delivering a Sufficient Supply of Homes  
Chapter 9 – Promoting Sustainable Transport  
Chapter 12 – Achieving Well Designed and Beautiful Places  
Chapter 15 – Conserving and Enhancing the Natural Environment  
Chapter 16 – Conserving and the Historic Environment

National Planning Practice Guidance

Natural Environment 2019  
Self Build and Custom Housebuilding 2021

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

Policy DS1 – Development Strategy and Principles  
Policy MTRA4 - Development in the Countryside  
Policy CP1 - Housing Provision  
Policy CP2 - Housing Provision and Mix  
Policy CP11 - Sustainable Low and Zero Carbon Built Development  
Policy CP13 – High Quality Design  
Policy CP15 – Green Infrastructure  
Policy CP16 – Biodiversity  
Policy CP20 – Heritage and Landscape Character

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

Policy DM1 – Location of New Development  
Policy DM2 – Dwelling sizes  
Policy DM15 – Local Distinctiveness  
Policy DM16 – Site Design Criteria  
Policy DM17 – Site Development Principles  
Policy DM18 – Access and Parking  
Policy DM23 – Rural Character  
Policy DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Documents

National Design Guide 2019  
High Quality Places 2015  
Landscape Character Assessment SPD 2022  
Colden Common Village Design Statement 2022  
Parking Standards SPD 2009

Other Relevant Guidance:

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Climate and Nature Emergency Declaration  
Carbon Neutrality Action Plan 2020 – 2030  
Statement of Community Involvement 2018 and 2020

**Planning Considerations**

**Principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Policy DS1 of the LPP1 is consistent with the NPPF which states in paragraph 11 that decisions should apply a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up to date development plan without delay.

The proposal would involve the introduction of a new dwelling outside the settlement boundary of Colden Common. LPP1 Policy MTRA2 allows for development within settlement boundaries of the Market Towns identified within the policy, of which Colden Common is one. Because the proposal would be outside of the settlement boundary it is not considered that it would meet the criteria of this policy. Countryside policies would therefore apply.

LPP1 Policy MTRA4 seeks to limit development to that which has an operational need for a countryside location, re-use of buildings, expansion of existing businesses and low key tourism development. As identified in the comments received from Colden Common Parish Council, the proposal to introduce one dwelling on the site would not meet these criteria and would therefore be contrary to the requirements of this policy. It would therefore be necessary to have regard to any material considerations (including the case put forward by the applicant in support of the proposal).

The Council is able to demonstrate a four year housing supply (this now being the correct test under the updated NPPF) and has an emerging local plan that has reached Regulation 18 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including proposed allocations towards meeting housing need. It should also be highlighted that in the Authority Monitoring Report (2022), the Council demonstrated a 7.6 year supply for the 2024-2029.

Given that the application site includes residential garden and land in recreational / equestrian use it is not considered that it could reasonably be described as previously developed land for the purposes of the NPPF (which specifically excludes residential gardens from its definition). The proposal for the dwelling to be single storey would also not in itself serve to justify the location of the development in open countryside.

Self and custom build dwellings are not affordable housing as defined within the local plan and therefore would need to comply with general policies specific to open market housing. Notwithstanding this it is acknowledged that self and custom build is a growing area of development, and one that central government is keen to expand. As such it is expected that appropriate policy addressing the need for self and custom build will be incorporated within the forthcoming Local Plan.

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

WCC is considered to have an up to date Development Plan and the policies referred to above are considered to provide an appropriate framework for assessing proposals for new dwellings (including custom and self build housing). On this basis paragraph 11d of the NPPF is not considered to be applicable in this instance. Notwithstanding this (and also the objections raised by the Parish Council), the position in relation to self build provision is capable of being a material consideration, alongside the development location and circumstances in this instance.

WCC maintains a self and custom build register which covers that part of Winchester District that falls outside of the South Downs National Park (SDNP). As of 30 October 2023, 407 individuals had registered an interest on the register since it was launched on 1 April 2016. The Council has an obligation to permit sufficient dwellings to meet the level of need within three years of being recorded. By 30 October 2020, 272 individuals had recorded an interest, and the total delivery by 30 October was 202 dwellings. Therefore, as of 30 October 2023 there was a shortfall of 70 dwellings against the need recorded in the register up to 2020. National planning practice guidance states that the registers that relate to the area of a local planning authority and the duty to have regard to them are likely to be a material consideration in decisions involving proposals for self and custom housebuilding.

With regards to sustainability, as identified above, the defined settlement limit of Colden Common lies 80 metres from the access to the application site and is a location in which residential infilling and other forms of development are acceptable under LPP1 Policy MTRA2. It has a range of everyday facilities, and whilst there is no pavement between the application site and the built up area, the short walking distance and characteristics of Boyes Lane are such that walking to the village amenities would be a realistic and convenient option. This conclusion is consistent with that made in respect of a previous appeal decision on the immediate neighbouring property, Gubblecotes (relating to a proposal for a single wheelchair accessible dwelling just outside the settlement boundary). In the case of this adjacent scheme (which the Applicant makes reference to) the Inspector at the time concluded that the development was acceptable on the grounds that the site *“is within walking distance of, amongst other things, a primary school, community centre, doctors surgery, pharmacy, shop and public house. Nearby bus stops facilitate access by public transport to Winchester and other higher order settlements.”* (Appeal reference APP/L1765/W/20/3254522).

The site is therefore not in an isolated location and should be considered well related to the settlement of Colden Common. In considering this along with the relationship to the existing residential development along Boyes Lane, the location of the site is a further material consideration which weighs in favour of the scheme.

The single storey design of the Gubblecotes proposal was also similar to the current application and the contribution the proposal would make to the stock of wheelchair accessible homes in the District and the fact that it would ensure the needs of future occupants would be met in the long term were further benefits identified at the time. The appeal proposal (which was determined under the same Development Plan) therefore has a number of parallels with the current application.

In conclusion, while the application site falls outside of the settlement boundary, the proposal would help to meet the need for specific types of housing identified in the custom and self build register and the Strategic Housing Market Assessment. It is also well related  
**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

to the settlement boundary of Colden Common and is considered to be sustainable development for the purposes of the NPPF. For the above reasons, it is concluded that the general principle of the proposed development is acceptable.

**Assessment under 2017 EIA Regulations.**

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

**Impact on character and appearance of area**

The application site falls within rural surroundings outside the defined settlement of Colden Common. LPP2 Policy DM23 sets out the various criteria for assessing the impact of new development proposals upon rural character. This policy seeks to ensure proposals would not result in a harmful level of visual intrusion, introduce incongruous features, destroy locally characteristic rural assets, or impact upon on the tranquillity of the environment. Alongside these requirements LPP1 Policy MTRA4 states that proposals should not cause harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise/light and traffic generation. With regards to local design guidance the Colden Common VDS advises that new development should be of a scale and massing which is in keeping with the character of the area and that new dwellings should include both front and rear gardens.

The existing site has a semi-rural character and forms part of the gradual transition between the built up residential area of Colden Common to the south and grazing land to the north. Visually it is closely associated with Arnewood House and other properties off Boyes Lane to the west along with dwellings further to the south east. Arnewood House is of a relatively modern, 1.5 storey design and there is no particular unifying architectural style to dwellings in the immediate area. The existing stables to be replaced are not of any notable interest and the existing riding arena (which sits on an area of artificially raised land) currently detracts from the rural character of the locality. The proposal to remove the stabling and riding arena would therefore bring about an overall improvement to the character of the site.

Whilst the proposed new dwelling (which would replace a number of existing structures) would encroach beyond the established residential curtilage of Arnewood House, it would be located close to the north boundary of the site (currently occupied by existing stabling and the riding arena) where it would be viewed against a backdrop of existing trees. The proposed dwelling would be a low profile building with a maximum overall height of just over 5 metres and would have a minimal visual impact when viewed from outside the site. The combination of facing brickwork, flint and timber cladding would avoid an overly harsh form or dominant form and would ensure a degree of articulation. The submitted elevations also indicate that the northern section of the dwelling would be set lower than existing ground levels and that a modest amount of cut and fill is proposed. This would offer further scope to minimise any potential visual impact through setting the building down in the sloping ground.

With regards to impacts upon tranquillity, the overall scale of the dwelling would not lead to a significant or harmful increase in vehicular activity in comparison with the adjacent dwelling and other residential properties in the immediate area. A sensitive lighting

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

strategy would also ensure the potential for light pollution would be minimised (Condition 5).

The proposed landscaping measures (with further details to be secured through Condition 7) would ensure an appropriate setting to the development and in accordance with LPP2 Policy DM15 and the Colden Common VDS the existing trees and natural features which enclose the site boundary would be retained.

Overall it is concluded that the layout and design of the development would minimise visual intrusion, preserve local distinctiveness and respond positively to the character, appearance and variety of the local environment, within and surrounding the site as required by LPP2 Policies DM15, DM16 and DM23. The proposals would therefore not give rise to any significant harmful impacts upon the rural character of the area.

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

The application site is located just over 450 metres 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**

Relevant Legislation:

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

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.

The proposed development does not affect nor is it near to a statutory listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting. Therefore, no impact is demonstrated.

**Case No: 23/02585/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

### **Neighbouring amenity**

There would be a distance of just over 20 metres between the proposed dwelling and the boundary with Arnewood House (the closest neighbouring residential property to the development). The majority of windows proposed would be located on the south and east elevations and would therefore not overlook the neighbouring property. Whilst the vehicular access would pass to the front of Arnewood House, the overall level of vehicular activity associated with the development (a single dwelling) would be modest and would therefore not give rise to a significant or harmful impact to the occupants of the existing dwelling.

Overall, it is therefore concluded that the proposed development would not have an unacceptable adverse impact on adjoining land, uses or property by reason of overlooking, increased disturbance, overshadowing or by being overbearing as required by LPP2 Policy DM17.

### **Sustainable Transport**

As outlined above, the proposed dwelling would share the existing vehicular access to the site, which benefits from a good standard of visibility. Having regard to the modest level of vehicular activity likely to be generated by the development and the low traffic speeds on Boyes Lane (which is unclassified and not a through road), the proposal would not give rise to any significant adverse impact upon highways safety,

The proposed five bedroom dwelling would be served by at least 4 parking spaces (three within the garage and space for at least one car on the hardsurfacing to the front of the dwelling) which meets the relevant adopted parking standards.

Overall, it is concluded that the proposed development would allow for access to, and movement within, the site in a safe and effective manner and would incorporate parking provision and vehicular access as part of the overall design of the scheme as required by LPP2 Policy DM18.

### **Ecology and Biodiversity**

There are no statutory nature conservation designations within or adjacent to the application site. An area of ancient woodland lies approximately 25 metres north west of the site access, but is separated from the development by existing residential properties and will not be directly impacted by the proposals.

With regards to local ecological interests the application has been accompanied by an Ecological Assessment which reports on an Extended Phase 1 Habitat Survey undertaken at the site. The site is concluded to be of low ecological value overall, although the trees on the north boundary are stated to have potential to support protected species including bats, birds, and potentially dormice on occasion. These trees are proposed to be retained and protected in accordance with the recommendations contained within the report. Due to the low ecological value of the site a need to undertake further survey work has not been identified.

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Notwithstanding this, further mitigation and enhancement measures are proposed, including a mitigation method statement to protect Great Crested Newts (to be secured through Condition 16 on the advice of Naturespace), a sensitive lighting strategy, grassland creation and woodland planting (amongst others).

The views of the WCC Ecologist have been sought and they have confirmed that they raise no objections subject to an ecological enhancement plan being agreed and implemented (Condition 17).

Overall, it is concluded that the proposed development will retain, protect and enhance biodiversity through its design and implementation and will support the integrity of the biodiversity network as required by LPP1 Policy CP16 and paragraph 186 of the NPPF.

### **Appropriate Assessment**

With regards to the water environment, the proposed development is within Winchester District where foul water is distributed into the European designated areas Solent SPAs/Ramsar sites via water treatment plants. In accordance with advice from Natural England and as detailed in Policy CP16 of the Winchester City Council Local Plan Part 1 Joint Core Strategy a net increase in housing development (over night accommodation) within Winchester District is likely to result in impacts to the integrity of those sites through a consequent increase in Nitrogen and Phosphorus.

In this instance the Applicant is proposing to take the existing dwelling off its unknown package treatment plant and to then install a new package treatment plan of improved performance to serve both the proposed dwelling and the existing dwelling. This would result in final budgets of

- -0.54 kg TP/yr
- -1.52 kg TN/yr

A performance certificate has been provided for the new package treatment plant and the applicant has confirmed that they are happy to provide a long term monitoring and maintenance strategy to satisfy the competent authority that the system will operate effectively for the lifetime of the development.

As such, in the event that consent is forthcoming, a Grampian condition in line with the Winchester City Council Position Statement on Nutrient Neutral Development will be required to secure appropriate mitigation prior to occupation. The package treatment plant management plan would be agreed as part of this condition (which the Applicant has confirmed agreement to).

A Habitat Regulations Assessment has been undertaken and accordingly it is concluded that (having regard to mitigation) there is therefore sufficient information to rule out likely significant effects on the internationally designated sites in the Solent catchment due to the increase in wastewater resulting from the proposal in combination with other plans and projects across the Solent area.

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Sustainability**

With regards to sustainable design, the proposed development has been designed with large elements of glazing are primarily focused towards the south, incorporating solar shading elements to manage overheating. The proposed glazing would have solar coatings applied to mitigate potential overheating and will also have low light transmittance to mitigate any potential negative impact upon the surroundings. The building would also be constructed using sustainability sourced materials, high levels of thermal insulation and water saving measures.

Overall, it therefore it is concluded that as required by LPP1 Policy CP11 the proposed development would be designed to maximise energy efficiency and design out the need for energy use by means of the scheme layout and the orientation and design of individual buildings, making full use of passive heating and cooling systems as far as is practical.

**Sustainable Drainage**

With regards to surface drainage, the application site does not lie within or adjacent to a flood zone and would not significantly increase the overall extent of built development or impermeable surfacing across the site (having regard to the proposal to remove the existing riding arena and stable buildings). Notwithstanding this, the site does fall within an area which is at some risk of pluvial flooding. However, the Drainage Engineer is satisfied that subject to an appropriately designed Sustainable Urban Drainage system being installed, any potential adverse impacts can reasonably be mitigated.

The drainage strategy which accompanies the application indicates that surface water drainage will be managed on site. Surface water run off would be collected and discharged into the ground by new soakaways to British Standard. The hard landscaping features will use permeable surfaces where possible, in particular on the gravel driveway.

Having regard to this it is considered that the proposal would not give rise to a significant increased volume of surface water or additional flood risk in comparison with the existing situation.

With regards to the concerns raised by the Parish Council in relation to increased pressure of the local sewage infrastructure, the proposal would result in a net increase of one dwelling and therefore refusal on these grounds would not be justified, particularly in the absence of any objections from Southern Water. Furthermore, the proposal would be served by a package treatment plant as opposed to the main sewerage system.

The Drainage Engineer is supportive of the proposed use of a package treatment plant subject to any design being informed by percolation testing together with other environmental considerations.

Overall, it is concluded that subject to imposing appropriate conditions in respect of both surface water and foul drainage, the proposal would ensure that adequate surface water drainage and wastewater infrastructure would be provided to service new development as required by LPP1 Policy CP17.

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Trees**

A number of notable trees lie on the north boundary of the site and these are considered to be of amenity value. The application has been accompanied by a Tree Protection Plan and Arboricultural Report.

The proposed dwelling footprint has been configured to avoid the root protection area of trees to the north of the site. Whilst the proposed access and parking area would encroach towards these trees, it is proposed that this would be a 'no dig driveway'. Other mitigation measures are also proposed and would include protective fencing during construction. The proposal will not necessitate the removal of any hedgerow.

In accordance with LPP2 Policy DM24 the proposed development has been designed to safeguard the quality and appearance of special natural features and the various mitigation measures put forward would ensure the development would not result in the loss or deterioration of special trees and the space required to support them in the long term.

**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 proposed development would result in the introduction of a new dwelling in open countryside contrary to the Local Development Plan. In this instance it is considered that there are overriding material considerations (in this case the identified shortfall in custom and self build housing within the Winchester district) which support the principle of the proposed development and it is located in a sustainable location. The proposal has been designed to minimise its impact upon the local environment and no harmful adverse impacts have been identified. It is therefore recommended that planning permission should be granted.

**Recommendation**

Approve subject to the conditions set out below.

**Conditions**

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

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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 and documents received: -

*Plans*

Proposed Site Plan – Drawing Reference 0419-150 P8  
The Location Plan – Drawing reference 0419-151 P2  
Proposed Roof Plan - Drawing Reference 0419-251 P5  
Elevations 1 – Drawing Reference 0419-450 P4  
Proposed Ground Floor Plan – Drawing Reference 0419-250 P4  
Tree Protection Plan (TPP), Arnewood House, ESL Ltd, August 2023

*Documents*

Preliminary Ecological Appraisal, ESL Ltd, 22/08/2023  
Arboricultural Survey & Report, ESL Ltd, August 2023  
Drainage Strategy, Adam Knibb Architects, December 2023  
Kingspan Water Management Specification December 2023

Reason: To ensure an acceptable design, scale and layout and to avoid adverse impacts upon amenity as required by policies DM16 and DM17 of the Winchester District Local Plan Part 2 (2017)

3. The approved dwelling shall be marketed, delivered and occupied as a Custom Build Plot as defined in the Self-Build and Custom Housing Act 2015 (as amended) and the Community Infrastructure Levy Regulations (as amended) 2019.

To ensure the proposed development (which will result in the introduction of new residential development into open countryside) would be appropriately justified through meeting the identified shortfall in custom and self build housing within the Winchester district in accordance with paragraph 60 of the National Planning Policy Framework

4. No development shall take place above damp proof course level until samples or full details of proposed external facing materials have been submitted to the Local Planning Authority and have been approved in writing. The development shall be carried out fully in accordance with the approved details.

Reason: To ensure an acceptable design, scale and layout and to avoid adverse impacts upon amenity as required by policies DM16 and DM17 of the Winchester District Local Plan Part 2 (2017)

5. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specification, luminosity, operation and layout of lighting (to be informed by the recommendations contained within Section 6.2.4 of the approved Preliminary Ecological Appraisal, ESL Ltd, 22/08/2023).

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

The lighting must then be installed and implemented in accordance with the approved details.

Reason: To protect the ecology and amenities of the area in accordance with policy CP16 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013) and policy DM23 and policy DM23 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations.

6. 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.

7. No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

- (a) planting specification
- (b) areas for hard surfacing and the materials to be used;
- (c) other means of enclosure;
- (d) establishment and maintenance schedule covering the first five years following the completion of development

No development shall take place unless these details have been approved and then only in accordance with those details.

Within 3 months of date of the local planning authority giving written approval for boundary treatments (or other such time period as may be agreed by the local planning authority), the approved boundary treatments shall be provided on site. If within a period of 5 years from the date of the planting, if the tree is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree of the same species and size as that originally planted shall be planted at the same place within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with LPP1 policy CP16 and LPP2 policies DM16 and DM17.

8. No development, or works of site preparation or clearance, 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.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

9. Prior to occupation of the dwelling the area shown on the approved site plan for the parking and turning of vehicles for that unit (Drawing Reference 0419-150 P7) shall be provided and reserved for these purposes at all times.

Reason: To ensure that vehicles parked on the site are able to enter and leave in forward gear as required by Policy DM18 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

10. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- ASR\_Arnewood House\_McGeoch/Massey, August\_2023 written by Paul Diamond of ESLtd 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 in accordance the LPP2 Policy DM24

11. 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 and Method Statement Ref:- ASR\_Arnewood House\_McGeoch/Massey\_August\_2023 and Tree Protection Plan, Ref:- Tree Protection Plan\_TPP\_Arnewood House\_August\_2023 Tree Officer. 01962 848360.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity in accordance the LPP2 Policy DM24

12. 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 in accordance the LPP2 Policy DM24

13. 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:- ASR\_Arnewood House, McGeoch/Massey\_August 2023.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity in accordance the LPP2 Policy DM24

14. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement Ref:- ASR\_Arnewood House\_McGeoch/Massey\_August\_2023: 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 in accordance the LPP2 Policy DM24

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

15. 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.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity in accordance the LPP2 Policy DM24

16. No development shall take place until an ecological enhancement plan (to be informed by the recommendations contained within Section 6.3 of the approved Preliminary Ecological Appraisal, ESL Ltd, 22/08/2023) has been submitted to the Local Planning Authority and has been approved in writing.

The measures shall be implemented fully in accordance with the approved details and shall remain in place for the lifetime of the approved development.

Reason: To maintain, protect and enhance biodiversity as required by Policy CP16 of the Winchester Local Plan Part 1: Joint Core Strategy Adopted 2013

17. No development shall take place until a Mitigation Method Statement for Great Crested Newts (to be undertaken by a suitably qualified ecologist) has been submitted to the Local Planning Authority and has been approved in writing. The measures shall be implemented fully in accordance with the approved details.

Reason: To maintain, protect and enhance biodiversity as required by Policy CP16 of the Winchester Local Plan Part 1: Joint Core Strategy Adopted 2013

18. 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.

**Case No: 23/02585/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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.

19. Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwelling shall meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

20. 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 the dwelling meets the Code 4 standard for energy and water (as defined by the ENE1, and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved 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 2021 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

**Informatives:**

1. In accordance with paragraph 39 of the NPPF (2023), 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)

Policy DS1 – Development Strategy and Principles

Policy MTRA4 - Development in the Countryside

Policy CP1 - Housing Provision

Policy CP2 - Housing Provision and Mix

Policy CP11 - Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP15 – Green Infrastructure

Policy CP16 – Biodiversity

Policy CP20 – Heritage and Landscape Character

**Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

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

Policy DM1 – Location of New Development  
Policy DM2 – Dwelling sizes  
Policy DM15 – Local Distinctiveness  
Policy DM16 – Site Design Criteria  
Policy DM17 – Site Development Principles  
Policy DM18 – Access and Parking  
Policy DM23 – Rural Character  
Policy DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

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. 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, please refer to the Construction Code of Practice

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

7. Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: [buildingcontrol@winchester.gov.uk](mailto:buildingcontrol@winchester.gov.uk))

8. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. **Case No: 23/02585/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.

9. Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake building works outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is no alternative to doing the work during this period then a thorough, careful and quiet examination of the affected areas must be carried out before demolition starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

10. It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

11. Nitrogen and Phosphorus Mitigation (Condition 18)

Please be advised that in order to meet the requirements of Condition 18 a package treatment plant management plan will need to be submitted for approval. The strategy should consider appropriate funding, responsibilities and mechanisms to ensure compliance for the lifetime of the development. Consideration should also be given to site compliance checks, monitoring, securing corrective measures and replacement facilities, as necessary. Natural England advises that best practice measures are delivered and secured with these systems in all cases.

**APPENDIX A – COLDEN COMMON PARISH COUNCIL FULL COMMENT**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

## Comments for Planning Application 23/02585/FUL

### Application Summary

Application Number: 23/02585/FUL

Address: Arnewood House Boyes Lane Colden Common Winchester Hampshire SO21 1TA

Proposal: Demolition of existing buildings and menage and replacement with a self-build dwelling (Use Class C3), garaging, landscape, biodiversity enhancements and associated works; Package Treatment Plant

Case Officer: Liz Young

### Customer Details

Name: Ms Clerk to the Parish Council

Address: Parish Office , Colden Common Community Centre, St Vigor Way, Colden Common, Colden Common Winchester, Hampshire SO21 1UU

### Comment Details

Commenter Type: Parish Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:What is proposed is a creation of a separate residential unit in the countryside, which would be unacceptable as it is contrary to policies MTRA4 of Winchester Local Plan Part 1 and DM15 and DM23 of Winchester Local Plan Part 2.

Furthermore, we note that representations on the application raise questions on a public sewer potentially crossing the development site, and questions on the soakaway drainage. Given the current issues with sewage system in Colden Common being overwhelmed and discharging sewage in Brambridge, a new development will add pressure on the drains and sewage problems