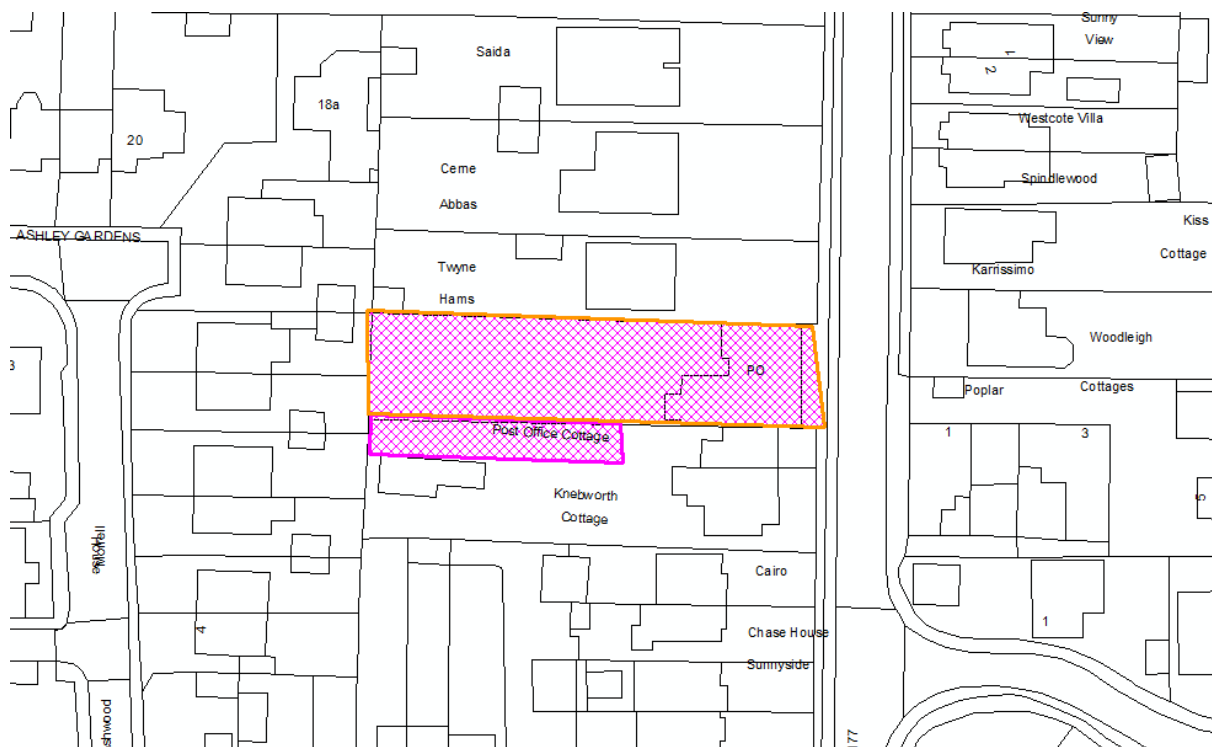


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**Case No:** 23/02061/FUL  
**Proposal Description:** Demolition of existing buildings and erection of four dwellings, together with access, parking, and associated works  
**Address:** Post Office Winchester Road Waltham Chase Hampshire  
**Parish:** Shedfield Parish Council  
**Applicants Name:** Mr Andy Phipps  
**Case Officer:** Rose Chapman  
**Date Valid:** 12 October 2023  
**Recommendation:** Permit  
**Pre Application Advice** Yes

### Link to Planning Documents

[Link to page – enter in reference number 23/02061/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)  
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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### Reasons for Recommendation

The development is recommended for permission as it is considered that it will not result in negative impacts on the character of the area in accordance with Policies DM15 and DM 16 of the LLP2, the loss of the retail/commercial unit is not contrary to Policy CP6 and currently this loss benefits from a planning permission agreed in 2022, and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2

### General Comments

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

### **Amendments to Plans Negotiated**

Amendments were accepted on the 18.01.2024 to revise the design of the proposed dwellings and included contaminated land and ecology reports. These were re-advertised for 21 days. The design changes were to the rear dwellings where the eaves were lowered to reduce their height and mass.

Additional ecology reports were submitted on the 30<sup>th</sup> May and 8<sup>th</sup> July which amended the layout to include a reptile mitigation area on site. As these comprised technical data that did not significantly impact the design and layout of the site this change was not readvertised.

### **Site Description**

The application site is located within the centre of Waltham Chase fronting onto Winchester Road. The site is approximately 0.1ha in size and currently comprises a building on the frontage which was previously in use as a retail unit including a post office and a residential unit with a garden area to the rear. The garden area is substantially overgrown with vegetation. The land rises from the road frontage to the western boundary by approximately 1.0m.

The main building on the site is two storeys in height and extends further to both the front and rear of the adjacent property to the south, Post Office Cottage, with its mid part immediately abutting this property such that from the street view it looks to be attached. The main building is linked via a flat roofed extension on its northern side to a single storey structure.

The building on the site comprises the ground floor shop with a separate dwelling set over both ground and first floors. The Post Office closed in October 2021 and the apartment was vacated in May 2022.

The general area is residential with neighbouring dwellings to the north, south and west of the site.

### **Proposal**

The application is for the demolition of the existing buildings on the site and redevelopment comprising 4 dwellings. A pair of two storey, two bedroomed semi-detached dwellings will be located on the site frontage set back from the current building position to be in line with the neighbouring dwelling and extending less to the rear. Four parking bays to serve these properties are provided beyond their rear boundaries. Two three bedroomed, two storey detached properties with integral garages and one driveway parking space are proposed to be located to the rear of the site. Vehicular access to the detached properties and the parking for the two

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bedroom semi-detached units is to run along the northern site boundary. A reptile mitigation area is also included to the rear of the site behind the rear two dwellings.

A previous prior notification application (see Planning History below) allows for the conversion of the building from commercial and residential to purely residential under Part 3 Class MA of the Town and Country General Permitted Development Order 2015 (GPDO).

### **Relevant Planning History**

22/02250/PNCOU - Existing buildings (mixed use A1 + C3) to be converted to C3 use via a rearrangement of the existing cottage into a single family dwellinghouse. – Prior approval not required

#### Consultations

##### Service Lead – Built Environment (Urban Designer) –

- Objection

##### Service Lead – Engineering (Drainage) -

- No Objection subject to condition (6)

##### Service Lead – Sustainability and Natural Environment (Ecology) –

- No objection subject to condition (7 and 16)

##### Service Lead – Public Protection (Environmental Health) –

- No Objection subject to condition (5,11 and 14)

##### Hampshire County Council (Highway Authority) –

- No objection

##### Natural England -

- No objection subject to condition (10)

##### Environment Agency

- No response

##### Southern Water -

- No objection

### **Representations:**

Shedfield Parish Council – objection

- Unacceptable parking
- Unacceptable access
- Gap between Post office cottage is too small
- Existing building should be retained
- Properties to the rear should be bungalows
- Overbearing

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- insufficient amenity areas
- drainage
- contaminated land
- overlooking
- loss of light
- over development of the site
- impact on ecology

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

- contaminated land
- insufficient turning space
- inappropriate access
- external lighting impacts
- construction disturbance
- design is not appropriate
- loss of community facility
- too dense
- plans do not accurately show boundaries/location of neighbouring buildings
- overlooking
- loss of light
- retained tree is dying and needs removal
- over development of site
- flooding/drainage
- rear dwellings are too big
- insufficient parking
- highways impacts
- retention of existing building has not been explored.

**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework (NPPF) (December 2023)

Section 2 Achieving Sustainable development.

Section 4 Decision Making

Section 5 delivering a sufficient supply of homes.

Section 8 Promoting healthy and safe communities.

Section 9 Promoting sustainable transport.

Section 11 Making effective use of land.

Section 12 Achieving well designed places.

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

Section 15 conserving and enhancing the natural environment.

National Planning Practice Guidance

Appropriate Assessment

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

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Light Pollution

Natural Environment

Open space, sports and recreation facilities, public rights of way and local green space

Planning Obligations

Use of planning conditions

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

- DS1 – Development Strategy and Principles
- MTRA1 – Development Strategy for Market Towns and Rural Area
- MTRA2 – Market Towns and Larger Villages
- CP1 – Housing Provision
- CP2 – Housing Mix
- CP6 – Local services and facilities
- CP10 – Transport
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design
- CP14 – Effective Use of Land
- CP15 – Green Infrastructure
- CP16 - Biodiversity
- CP17 – Flooding

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

- DM1 Location of new development
- DM2 – Dwelling Sizes
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking
- DM21 – Contaminated land

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Residential Parking Standards December 2009

Affordable Housing SPD February 2008 with amendment 2012.

Shedfield Village Design Statement

Other relevant documents

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030

Statement of Community Involvement 2018 and 2020

Biodiversity Action Plan 2021

Waste Management Guidelines and Bin Arrangements

Position Statement on Nitrate Neutral Development – February 2020

Shedfield Village Design Statement

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.

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Nature Emergency Declaration.  
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.

The development is situated within the settlement boundary of Waltham Chase where the principle of development is acceptable, provided that it is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

Policy CP2 requires that new residential development be a majority of 2 and 3 bed dwellings. The proposal would see 2no 2 bed dwellings and 2no 3 bed dwellings. Therefore, the proposal is acceptable in this regard.

The application site has been empty for some time, and has a previous planning permission agreed via the prior notification process to change the existing building into a single dwelling under Schedule 2, Part 3, Class MA of the Town and Country Planning general Permitted Development Order 2015 (as amended) (GPDO) (see Planning History) The prior notification approval allows for the conversion of the commercial premises to residential without the need for full planning permission. The prior notification process grants planning permission for such changes of use under national permitted development rights, subject to limitations and conditions. In this case the key relevant issue in determining the extant permission was whether the building had been vacant for a period of at least three months prior to the application under Class MA being submitted. In determining the application the Council was satisfied that this requirement was met (the retail/post office was permanently closed in October 2021 and the apartment was vacated in May 2022 with the application being submitted in October 2022) and accordingly the change of use could proceed without consideration of the local plan policies which seek to control the loss of commercial uses.

This approved change of use is considered to have significant weight in the consideration of the current application as it provides a formally agreed, lawful position whereby the retail floorspace can be converted to residential subject to the works to facilitate this being completed within three years of the prior approval date (by 15.11.2025)

Implementing the conversion of the building remains a lawful fall-back option should this current application be refused. Case law has confirmed that a fallback position can be a material consideration in determining planning applications subject to there being a real prospect of the change of use taking place. This does not mean it must be probable or likely, a possibility will suffice. In this case there is no evidence to suggest that the existing retail floorspace cannot be converted to residential use

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under the extant planning permission and therefore the extant change of use permission should be considered possible and accordingly as a fallback option. If implemented the prior notification approval would disengage policy CP6.

Notwithstanding, the change of use that has been secured, the NPPF requires that the Local Plan is the starting point of an assessment. Furthermore, the loss of the commercial use has been raised as a concern. Therefore, it is considered to be appropriate to consider the loss of the commercial use under Local Plan Policy.

Policy CP6 addresses local services within settlements requiring that the loss of services and facilities would not result in harm to those in the area. When assessing the loss of a facility the following are considered:

- Whether the site is no longer required as the facility has been relocated or is not longer needed in the locality
- The site has no reasonable prospect of an alternative use that would benefit the community
- Whether the loss of the facility would cause harm to the neighbouring area
- Whether the loss of the facility would have a detrimental impact on the viability or vitality of the settlement
- Whether the loss is part of an agreed plan to provide local improvements.

In this instance the building on the site has been empty for some time and was on the market for other business uses for over 6 months before an alternative was sought. It can be concluded from this that there is no reasonable prospect of an alternative commercial or community use being found. While the loss of the site would reduce the commercial offering in the area there are other shops available within the village and Bishops Waltham and Swanmore are close by which provide local services. As such it is not considered that the proposal would result in harm to the vitality and viability of Waltham Chase and therefore the loss of the shop is not considered to result in harm to the Village and is acceptable under policy CP6.

Policy CP14 addresses the effective use of land requiring higher densities in areas considered appropriate for development, such as within settlement boundaries, In this instance there is an existing dwelling and extant permission for a single dwelling unit on the site. The proposal would introduce an additional 3 dwellings thereby making the best use of urban land.

The principle of the proposal is therefore considered to be acceptable when assessed against fallback position and policies CP6 and CP14.

**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 proposal would see 4 dwellings on the site, a pair of semi-detached to the front and 2 detached properties to the rear.

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There is a mixed character within the area with different architectural styles and finishes. There are also examples of back land development within the village. As a result there is little consistent approach to plot size or design throughout the village or within the immediate area.

The site would be effectively sub divided with the dwellings to the front taking a traditional cottage vernacular similar to other developments along Winchester Road. These would replace the existing building. It is noted that concerns have been raised in relation to retaining and refurbishing the existing building. However, it is considered that the existing building is positioned close to the road and is a deep building having an overbearing presence to the neighbour to the south. The proposal would replace this with 2 dwellings set back from the road with their front elevation being in line with the neighbouring dwellings to the south and their depth being reduced when compared to the existing, resulting in significantly less mass. As a result, the proposal would create an enhancement of the street scene to the benefit of the character of the Village. It is therefore acceptable that the existing building is demolished and replaced.

Further concerns have been raised in regard to the proposed separation between the proposed dwellings and Post Office Cottage. This is currently proposed at approximately 0.5m. The urban designer raised that this would be barely enough for maintenance and should either be increased or removed to form a terrace with Post Office Cottage. While it is acknowledged that the proposed gap would be narrow, this space would still allow for maintenance and the semi-detached nature of the frontage dwellings proposed respects the character of the area.

Therefore, while a larger separation distance would be beneficial, the current proposal is not considered to be harmful to the extent that a reason for refusal could be defended. In addition, the proposal would result in enhancements between the neighbouring dwellings to the south and in the street scene.

In terms of design the front 2 dwellings would be traditional in form with a ridge that would be approximately 0.7m higher than the existing building. While the increase is acknowledged, the proposed dwellings would be set back in the street scene and therefore this is considered to be acceptable.

To the rear 2 detached dwellings are proposed with garages. Revised plans have been submitted to lower the eaves of the proposed dwellings to reduce the mass and bulk of the proposal. As these would be to the rear of the site these would afford limited views from public areas. It is also noted that there is a 1m rise from the front boundary to the rear of the site but these detached dwellings would sit lower than the proposed frontage dwellings and will not be overly visible in the street scene. As such the design is considered to be acceptable.

It is considered appropriate to have details of materials and landscaping reserved via condition (8 and 9) to ensure that the proposal would blend with the local vernacular.

Therefore the proposal complies with policies CP13, DM15, DM16 and DM17.  
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**Development affecting the South Downs National Park**

The application site is located 2km (1.2 miles) 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**

No Impact, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

**Neighbouring amenity**

The site is surrounded by residential neighbours.

To the north of the site is Twynehams, a single storey dwelling set back from the road frontage with its front elevation further back from the road than the rear of the semi-detached properties proposed on the site. There are two existing side windows that serve this dwelling that face the application site. These would face onto the proposed access and garden areas, not directly onto any of the proposed development, as such it is not considered that the proposal would result in harm to the residential amenities of this neighbour by way of overlooking, overbearing or loss of light.

To the South of the site is Post Office Cottage and Knebworth Cottage. Due to the layout of the area, there is, as existing, a level of mutual overlooking due to the close layout and density in the area. Plot 4 would have first floor windows that would face the garden areas of both these neighbours. However, due to the distance (approximately 26m from Post Office Cottage and 25m from Knebworth Cottage) and notwithstanding that the two detached properties will be on higher land, it is not considered that the proposal would result in harm by way of overbearing, overlooking or loss of light. Plot 4 would have a single side window on the ground floor to serve the kitchen. It is not considered that the proposal would result in harmful overlooking of the neighbours to the south.

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To the west of the application site are numbers 8-12 Ashley Gardens. Concerns have been raised in regard to overlooking, overbearing and loss of light. It is noted that the urban designer has raised similar concerns that the proposed distances would likely result in overlooking and overbearing. However, the proposed rear dwellings on the application site would be located approximately 20m from the rear elevations of these neighbours, and, as mentioned previously, there is a level of mutual overlooking as existing.

Whilst it is acknowledged that the proposed relationship is closer to the neighbouring properties to the west, there is a general character of approximately 10m-20m between the facing rear walls of properties within the area. Therefore, a distance of approximately 20-23m is considered to be acceptable.

It is therefore not considered that the proposal would result in harmful overlooking or overbearing to these neighbours due to the distances involved.

The application site is located directly to the east of the neighbours to the west and therefore it is likely that the proposal would result in loss of morning light to these neighbours however this would be for a limited period. The majority of the neighbouring properties would have more than 50% of their property with full access to light for more than 50 % of the day. As such it is not considered that the proposal would have a harmful impact on these neighbours.

The application site is located along Winchester Road and in close proximity to residential neighbours as such a construction management plan is considered to be appropriate to condition (5).

Therefore, the proposal complies with policy DM16.

### **Sustainable Transport**

The application would include the introduction of a revised access onto Winchester Road. Visibility splays have been measured and acceptable visibility is possible, as such a condition requiring that these are laid out and retained thereafter is considered to be appropriate (13).

Concerns have been raised in regard to the width of the access. The proposed access is approximately 3.6m wide and would allow for a single car to access and egress at a time. Given the low level of development and the limited length of the access road, 30m, it is not considered that the proposal would result in a significant uplift in traffic generation or result in vehicles accessing or egressing the site unduly blocking Winchester Road and therefore the proposed access is considered to be acceptable. The Highways Engineer raised no objection.

8 parking spaces have been proposed which is in accordance with the Residential Parking SPD. As the application site is located in a village with limited bus services it is considered appropriate for the parking spaces to be retained via condition (15).

The Highways Engineer has raised refuse collection as an issue for consideration. It is considered that the proposal would have sufficient space and visibility for bins to be collected from the site entrance without blocking visibility splays. As stated above  
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a condition (13) has been recommended requiring the provision and retention of visibility splays to prevent issues with highway safety.

Therefore the proposal complies with policy CP10 and DM18.

**Ecology and Biodiversity**

The proposal is for Development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) and is for overnight accommodation affecting Nitrates.

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 within Winchester District is likely to result in impacts to the integrity of those sites through a consequent increase in Nitrates. A nitrate calculation has been conducted in relation to this. It has been demonstrated that the proposal would generate a surplus of nitrates and therefore mitigation is required. As such a Grampian condition (condition 10) in line with the Winchester City Council Position Statement on Nitrate Neutral Development has been agreed to secure appropriate mitigation prior to occupation.

The Solent coastline provides feeding grounds for internationally protected populations for overwintering waders and wildfowl and is also extensively used for recreation. Natural England has concluded that the likelihood of a significant effect in combination arising from new housing around the Solent cannot be ruled out. Applications for residential development within 5.6 km of the Solent SPAs will need to propose measures to mitigate the direct impacts of their development on the Solent SPA. This can be done by the provision of a financial contribution either before planning permission is granted or by entering into a s106 agreement before planning permission is granted with an undertaking that the payment will be made before the development is implemented.

The proposal would provide 2 x 2 bed dwellings and 2 x 3 bed dwellings requiring a payment of £2946 to comply with policy CP16. This payment has been received and the relevant legal agreements have been returned.

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

The site has been allowed to grow over for some time creating priority habitat. As such an ecological survey has been submitted that has raised that the site has potential for badger, reptiles and bird. Mitigation measures in the form of bat bricks, bird bricks and hedgehog holes are proposed and are considered to be acceptable. In regard to reptiles, it is proposed to create a small receptor area on the site. This is shown on the amended site plan with access. Further details on the management and monitoring of the site is required and therefore a condition (7) to secure monitoring and management of the receptor site has been recommended.

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Therefore, the proposal complies with policy CP15 and CP16.

**Appropriate Assessment.**

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution of 5.11 Kg/N/year is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

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 (2023).

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

**Sustainability**

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. Condition 3 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

Condition 12 then requests as-built data prior to the occupation of the units to ensure that the requirements of the design stage data have been met.

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

**Sustainable Drainage**

The proposal is partially located within flood zone 2 to the front of the site. As such an FRA and drainage plan has been submitted.

The proposal would connect to the existing main sewer which is considered to be acceptable. Southern Water have commented regarding the requirements of construction in relation to the foul sewer. The drainage plans submitted shows that the proposal would comply with these requirements, as such the foul water removal is considered to be acceptable.

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In terms of surface water removal, a drainage plan and Flood Risk Assessment has been submitted. These indicate that the site is at low risk of flooding and an attenuation tank is proposed that would connect to the exiting surface water ditch. Further detail is required and it is considered appropriate for this to be secured via condition (6).

Therefore the proposal complies with policy DM17 and CP15.

**Contaminated Land**

The application site was formally a petrol station, as such a contamination report has been submitted. It is likely that the site includes underground tanks and the report lays out the risks to future occupiers in terms of contaminants concluding that these risks are low. Investigations are proposed in regard to the potential fuel storage tanks once the site has been demolished and contamination specialists are suggested to supervise the ground works. This is considered to be acceptable. Notwithstanding this, further reports would be required and are secured via conditions (4, 11 and 14)

The proposal therefore complies with policy DM19.

**Equality**

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

**Planning Balance and Conclusion**

The proposal would see the replacement of the existing building with 4 dwellings, 2 to the front and 2 to the rear. The site is in a location that has good access to facilities and is therefore in a location which supports a higher density of development than that existing on the site. It is also considered that the design of the proposal responds appropriately to the general character of the area. Accordingly, the proposal accords with Policy CP14 which seeks to ensure that land is used effectively.

The previous planning permission for the conversion of the retail floor area to a residential use which was approved under the prior notification process is a fallback option which could be implemented should this application not be permitted. Notwithstanding this, the proposal has been considered against and found to comply with policy CP6.

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The amended design is considered to be acceptable. Though the additional dwellings to the rear would be closer to the neighbouring properties to the west it is not considered that this would result in harm that would justify a reason for refusal.

The proposed dwellings to the front would enhance the street scene and the relationship with the dwellings to the south of the site.

The proposal would provide sufficient access and parking to prevent harm to highways users.

Ecological enhancements have been proposed including a reptile mitigation area. The applicant has agreed to a Grampian condition and has paid the SRMP.

The application is therefore in accordance with policies MTRA2, CP2, CP13, CP14, CP15, CP16 of the Local Plan Part 1 and DM1, DM2, DM15, DM16, DM17, DM18 of the Local Plan Part 2.

### **Planning Obligations/Agreements**

In seeking the planning obligations the Local Planning Authority has had regard to the tests laid down in para 57 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

### **Recommendation**

PERMIT 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 must be constructed in accordance with the following documents and drawings:  
'Transport Assessment' by Nick Culhane submitted to the Local Planning Authority 31.08.2023  
'Foul and Surface Water Drainage Proposals' by Aqua Callidus dated 27th October 2023  
Document ref: 000398 - Phase 1 Geoenvironmental report by EPG  
'Preliminary Ecological Appraisal' by Ecosupport submitted to the Local Planning Authority 30.01.2024  
'Flood Risk Assessment' by Aqua Callidus dated 05.02.2024  
'Phase 2 surveys and mitigation' by Ecosupport submitted to the Local Planning Authority 05.07.2024

Drawing Number: 23/322/108 rev P3 - Drainage Plan

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Drawing Number: 23/322/110 rev P1 - Location Plan  
Drawing Number: 23/322/103 rev P3 - plot 4 plans and elevations  
Drawing Number: 23/322/102 rev P4 - plot 3 plans and elevations  
Drawing Number: 23/322/101 rev P3 - Plot 1 and 2 plans and elevations  
Drawing Number: 23/322/105 rev P3 - Site elevations  
Drawing number: 23/322/100 rev P5 - site plan

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

Pre-commencement

3. 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 all homes meet the equivalent of 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 2023 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

4. Prior to the commencement of the development hereby permitted (or within such extended period as may be agreed with the Local Planning Authority), a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority.  
The scheme shall conform to current guidance and best practice as set out in BS10175:2001 Investigation of potentially contaminated sites - code of practice and Contaminated Land Reports 7 to 11, or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:
  - a) A desk top study and conceptual model documenting all the previous and existing land uses of the site and adjacent land;
  - b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;
  - c) A remedial strategy detailing the measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of the future occupants.

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

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- Development roles, contracts and responsibilities
- Public communications strategy including complaints procedure
- parking and turning of operative, construction and visitor vehicles
- loading and unloading of plant and materials
- storage of plant and materials
- programme of works (including measures for traffic management)
- all deliveries and building works which should only be carried out between the hours of 0800 and 1800 hours Monday to Friday and 0800 and 1300 hours Saturday and no time on Sundays or recognised public holidays
- provision of boundary hoarding and lighting including construction lighting
- details of proposed means of dust suppression and noise mitigation
- details of measures to be taken to prevent mud from vehicles leaving the site during construction
- the handling and management of construction waste
- Pest control
- A programme of phasing and demolition (if any) and construction work
- Protection of pedestrian routes during construction works
- Demolition and construction work will only take place in accordance with the approved method statement. 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.

6. Prior to the commencement of development hereby approved, details of surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority (LPA). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the LPA. Where a sustainable drainage scheme is to be provided the submitted details shall:
- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - b) provide a management and maintenance plan for the lifetime of the development to secure the operation of the scheme throughout its lifetime.
  - c) Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To ensure satisfactory provision of surface water drainage in a sustainable way.

7. Prior to the commencement of development the following details shall be submitted to and approved in writing by the local planning authority:



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- how the reptile mitigation area is to be laid out and protected during construction works
- a maintenance and monitoring plan.

Works shall proceed in accordance with the approved details and thereafter retained in perpetuity.

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

Pre-slab level

8. No development shall take place above Slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

These details shall include:

- Proposed finished levels or contours, in comparison to existing ground levels, including the damp proof course and ground floor of the proposed buildings, and the relationship to the levels of adjacent buildings, together with contours to be formed and earthworks to be undertaken;
- All boundary treatment;
- Hard surfacing materials;
- means of enclosure, including any retaining structures;

Soft landscaping works shall include:

- planting plans (for new trees, hedges and other planting);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- implementation programme.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

9. No development shall take place above the damp proof course 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.

Pre-occupation

10. 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

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- additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

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

11. Prior to the occupation of the development hereby permitted, written verification that the contamination mitigation measures identified have been addressed, the report shall be produced by the suitably qualified person shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the remedial strategy approved under condition 4 has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

12. 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 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 occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2023 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

13. Prior to occupation, visibility splays of 2.4m x 43m shall be implemented and be kept free of any obstruction exceeding 0.6m in height above the adjacent carriageway and shall subsequently maintained thereafter.

Reason: To ensure safe access and egress form the site and in the interest of Highways safety

General

14. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The

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development shall not be completed other than in accordance with the approved details.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

15. The parking spaces as shown in the drawing 23/322/100 rev P5 shall be implemented prior to the occupation of the development hereby approved and thereafter retained in accordance with the approved plan.

Reason: In the interests of highway safety and residential amenity.

16. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within Preliminary Ecological Appraisal' and 'Phase 2 surveys and mitigation' by Ecosupport. 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.

Informative:

1. This permission is granted for the following reasons:

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

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

Local Plan Part 1 Joint Core Strategy: DS1, MTRA1, MTRA2, CP2, CP6, CP10, CP11, CP13, CP14, CP15, CP16, CP17

Local Plan Part 2: DM1, DM2, DM15, DM16, DM17, DM18, DM21

3. In accordance with paragraph 38 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service and,
  - updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

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Appendix 1



20/02/2024

Rose Chapman  
Case Officer  
Planning Department  
Winchester City Council

Dear Rose

**Re: 23/02061/FUL** – Demolition of existing buildings and erection of four dwellings, together with access, parking, and associated works; Post Office, Winchester Road, Waltham Chase

Shedfield Parish Council **objects** to this application.

The applicant, Alderbury Homes, sent a representative to a Shedfield Parish Council (SPC) planning meeting which was also attended by several residents, mainly those very close to the site. The concerns of the residents were listened to and amended plans were to be submitted. However, any amendments have been minimal, consisting of slightly lowering the roof height of the two properties at the back of the site, that directly back on to the gardens of houses in Ashley Gardens. Unfortunately, none of the other concerns were addressed and for this reason SPC objects to the amended application.

The Winchester City Council Urban Design Officer Report of 24<sup>th</sup> October 2023 raised several concerns, which remain unaddressed. SPC has the following comments:

1. Vehicles - The Highways technical report prepared for Alderbury Homes does not reflect the past use for parking, implying it was regularly and constantly used by visitors to the store. This was not the case as it was not regarded as a safe place to park and vehicles had to park partly on the pavement, which caused congestion particularly when a bus or HGV wanted to pass on Winchester Road.
2. The driveway to the rear units does not appear to be wide enough and, at over 18m in length, the private driveway needs to be a minimum width of 5m for the first 6m and include a passing place. It should also have a clear safe route for pedestrians and cycles. The rear properties have parking for one vehicle plus a garage, which will mean having to move cars in and out; will encourage other parking solutions and will leave insufficient parking for visitors or deliveries. This cramped appearance has happened elsewhere in

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the village resulting in cars being parked in the neighbouring lanes and estates, causing problems in other locations.

3. Gap with Post Office Cottage – The gap should either be cojoined as existing, or set further apart, to enable passage to the rear garden and for maintenance. A small gap would be at risk of becoming a haven for rubbish, wild plants and rodents.
4. The existing building should be retained and refurbished, unless there is a robust argument explaining why building new, as opposed to full retention or even part retention, is the only option. This is a long-standing property of importance to the street scene of Waltham Chase.
5. The two properties at the rear have had their height reduced. Advice from WCC was that according to the Shedfield Design Statement, proposed development should not be taller than surrounding development. The area around the site is predominantly 1 and 2 storeys, and therefore the original proposal for 3 storeys should be reduced to 2 storeys. SPC appreciates that the roof height has been lowered but would prefer to see bungalows at the rear in keeping with nearby properties; and being more in keeping with properties built in back gardens backing on to neighbouring properties. (Such as the new properties in Hornbeam Road being bungalows which back on to the bungalows of Forest Close).
6. The mass and height of the proposed dwellings to the rear could have an overbearing impact to Knebworth Cottage, the property at the south side.
7. There is little amenity area for all properties proposed and there should be a planting plan. Any hedging should be retained.
8. There should be assurances that the development will be safe from surface water flooding and that there is no increase in flood risk elsewhere.
9. As these premises have previously been used as a garage and petrol station, the ground should be checked for possible contamination. This has been highlighted by Environmental Health and reports should be obtained prior to any development.

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10. The windows of the rear properties look directly into the windows of the homes in Ashley Gardens and will cast shadows and cause loss of light in the properties in Ashley Gardens. They will give a cramped appearance and impact on the private enjoyment of the properties in Ashley Gardens.
  
11. The gardens at present are in a neglected state and the current wildlife, including badgers, hedgehogs, bats, frogs and newts should be protected. There should be at least a bat survey carried out, especially if the Old Post Office Building is their home and it were to be demolished.

In addition to the above, there are a high number of valid resident objections, which have not been addressed. Due to the number of objections, and our concerns as highlighted above, Shedfield Parish Council request that this application go to WCC Planning Committee.

Best wishes

Ailsa Duckworth, Assistant Clerk  
On behalf of Shedfield Parish Council

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