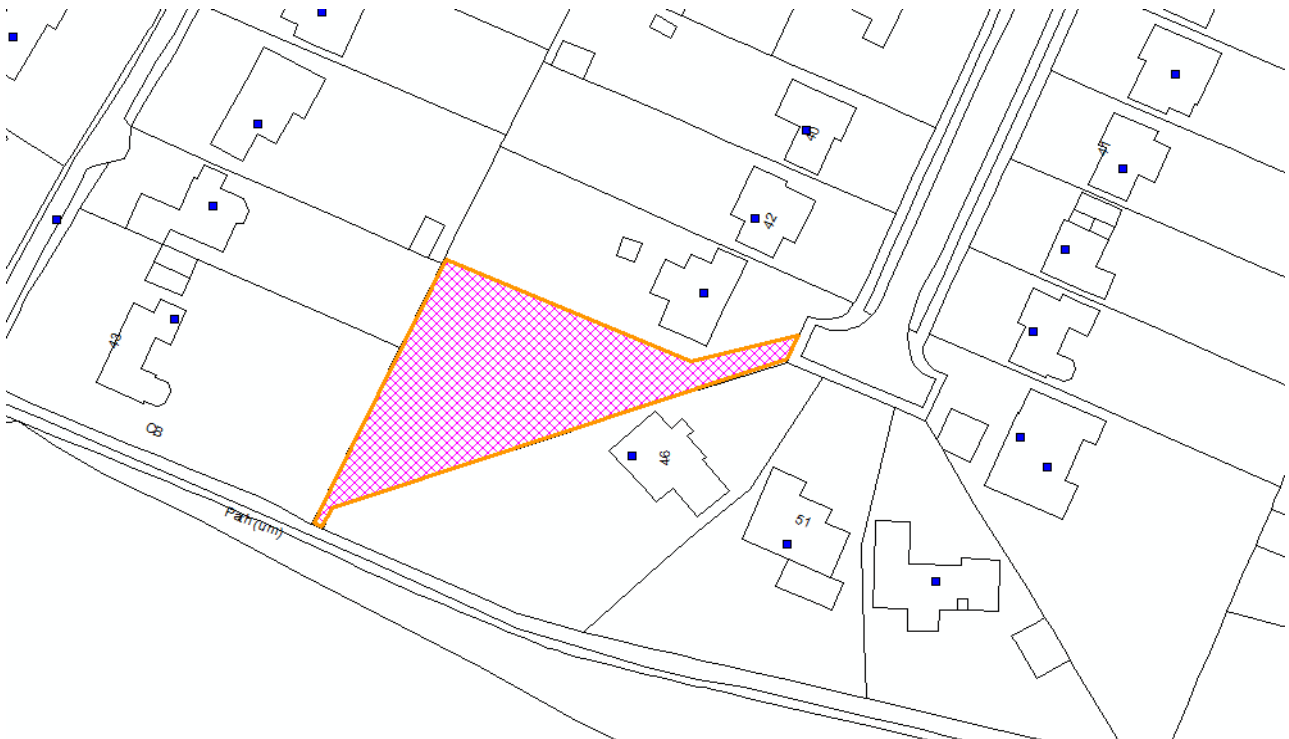


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/02552/FUL
Proposal Description: New dwelling and vehicle access on land adjacent to 44 Stockers Avenue
Address: 44 Stockers Avenue, Winchester, Hampshire, SO22 5LB
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr & Mrs White
Case Officer: Mrs Megan Osborn
Date Valid: 29 November 2023
Recommendation: Application permitted
Pre Application Advice Yes

Link to Planning Documents

[Link to page – enter in reference number 23/02552/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that it will not result in a harmful impact on the character of the area or highway safety and would not harm neighbouring residential amenity and is in accordance with the development plan.

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

Amended plans were submitted and re-consulted on the 25th March 2024. The design of the proposed dwellings were amended in line with officers recommendations. The amended plans were re-advertised to neighbours.

Proposed block plan – 2105B_PR_001_D

Combined proposed site plan – 2105B_PR_012_B

Proposed basement floor plan – 2105B_PR_102C

Proposed ground floor plan – 2105B_PR_112_C

Boundary Section and street scene elevation – 2105B_PR_201_B

East and south elevations proposed – 2105B_PR_300_D

West and north elevations proposed – 2105B_PR_301_D

Site Description

The existing site comprises of a detached two storey dwelling located to the west of Stockers Avenue close to the end of the cul-de-sac.

The dwelling has a large rear and side garden with the far southern point of the garden adjoining the Public Right of Way that leads from Hampton Lane to Chilbolton Avenue.

The garden slopes up from the front of the dwelling to the rear and backs onto dwellings on Hampton Lane.

The rear garden is relatively clear with hedging and trees along the boundaries.

Proposal

The proposal is for a new dwelling within the side/rear garden of 44 Stockers Avenue.

Relevant Planning History

82/01053/OLD - Erection of single storey extensions. Permitted 31st March 1982.

83/00805/OLD - Erection of conservatory. Permitted 10th March 1983.

88/00928/OLD - First floor side extension and rear balcony. Permitted 26th October 1988.

97/02064/FUL - Single storey front extension. Permitted 6th January 1998.

There is a current application for a 'Single storey rear extension and two storey side and front extension' to 44 Stockers Avenue (23/02553/HOU).

Consultations

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Service Lead – Built Environment (Urban Designer) –

- No objection, subject to some proposed amendments

Service Lead – Engineering (Drainage) -

- No objection, subject to condition 11

Service Lead – Sustainability and Natural Environment (Ecology) –

- No objections, subject to conditions 13 and 14

Hampshire County Council (Highway Authority) –

- No objections

Southern Water -

- No objections

Representations:

City of Winchester Trust – No objection to the principle, however it is considered that this is overly large for the site and overbearing and too close to the boundary.

The application was first consulted on the 10th December 2023

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

- Overlooking towards number 41 Hampton Lane.
- Loss of light to neighbouring properties on Hampton Lane and Stocker Avenue.
- Overbearing effect on 41 Hampton Lane.
- The design is at odds with its surroundings.
- Scale and massing of the building not acceptable
- The upper storey is unacceptable in relation to neighbouring amenities and is too high.
- Impact on existing wildlife corridor.
- Concerns regarding ecology of existing site.
- Concern regarding the excavation of the land.
- The dwelling is too close to the northern boundary.
- Object to the subdivision of the plot.
- Overdevelopment of the site
- The proposed driveway of the dwelling would result in the loss of the trees and disturbance.
- The access would remove some on street parking.
- The new dwelling would put pressure on already existing drainage problems in the area.

This application then received amended plans and was re-consulted on the 13th February 2024. This resulted in 20 objections.

- The plans are an improvement due to the removal of the third floor which removes the concerns relating to overlooking, overbearing and overshadowing.
- Still too large a footprint and out of character with neighbouring properties
- Overdevelopment

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- Too close to the northern boundary
- Impact on wildlife
- Concerns on excavation of land

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

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

National Planning Practice Guidance

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Planning Obligations

Use of planning conditions

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

Policy DS1 – Development Strategy and Principles

Policy MTRA1 – Development strategy market towns and rural area

Policy MTRA2 – Market Towns and Large Villages

Policy CP2 – Housing mix and provision

Policy CP3 – Affordable housing provision on market led housing

Policy CP10 - Transport

Policy CP11 – Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP14 – The effective use of land

Policy CP16 – Biodiversity

Policy CP17 – Flooding, Flood Risk and the Water Environment

Policy CP20 – Heritage and Landscape Character

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 Design Principles

DM18 – Access and Parking

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

St Barnabas West neighbourhood Design statement 2007

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Other relevant documents

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

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2023) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The site is located within the area of Winchester. Winchester has its own settlement boundary where the principle of development for housing is considered acceptable. This site is located within this boundary and the proposals are in accordance with policy DM1 of the Local Plan Part 2.

The proposals would not need to make a contribution towards affordable housing as it is not for major residential development (residential schemes are major development if they are of 10 dwellings or more). The proposal is therefore in accordance with policy CP3 of the Local Plan Part 1.

The principle of this application is therefore acceptable in relation to policy DM1 of the LPP2.

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 is for a dwelling within the side/rear garden of 44 Stockers Avenue. The dwelling forms an L-shape and is located in the north western corner of the site with a new access proposed to the north eastern corner onto Stockers Avenue.

The proposed dwelling utilises the sloping site by submerging the lower ground floor for parking, a study, a snug, a utility area, and storage area. The ground floor proposes 4 bedrooms and living/kitchen.

The surrounding area is made up of a mix of semi detached and detached dwellings in plots with substantial rear gardens. Number 44 has a larger garden than most in this area as it benefits from a corner plot with a garden area to the rear and side of the dwelling. Therefore, the proposal for a new dwelling to be located within the garden area of this dwelling is considered acceptable and would not appear out of keeping to the spatial characteristics of the surrounding area.

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The design of this dwelling is a departure from the architectural design of the neighbouring dwellings, with a more contemporary form. It proposes a flat, green roof, vertical timber cladding, with concrete and metal cladding elements. Although this is different to the surrounding dwellings, and it will be seen in filtered views from the street scene, it is considered that it would not result in an incongruous feature in this street or in relation to neighbouring properties. Due to dense vegetation, the new dwelling will not be seen from the PROW.

The St Barnabas West neighbourhood Design statement states that 'Development should respond to the surrounding built environment and reflect the character of the area and the semi rural environment'. Although the proposed dwelling is not exactly the same design as the neighbouring dwellings, it is considered that it respects the form and spatial characteristics of the surrounding dwellings due to the low rise nature of the proposed dwelling and modest features. Therefore, it is considered to be acceptable in relation to the design statement.

Therefore, it is considered that the proposal complies with the St Barnabas West neighbourhood Design statement and policies CP13 of the LPP1, DM15,16 and 17 of the LPP2 and the supplementary planning document High Quality Places in that the design, layout, mass and bulk of the proposed dwelling is acceptable.

Development affecting the South Downs National Park

The application site is located 2.3km 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 dwelling is located to the north of the site and is low rise. Although it is only 1.1m from the neighbouring boundary with number 44 Stockers Avenue to the north, it is considered
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that, due to the height of the building (approximately 5.3m and 2.8m at the higher level) and location in relation to the neighbouring main amenity area (approximately 11m), this would not result in an overbearing or overshadowing impact towards number 44 Stockers Avenue that would warrant the refusal of this application.

The dwelling would not result in any overbearing or overshadowing to any other neighbouring amenities.

There are no windows proposed on the northern elevation of this dwelling. There are windows on the western elevation, although these are set back from the boundary to the west. These windows are over 35m away from the nearest dwelling on Hampton Lane and therefore an overlooking impact would be avoided.

There are windows proposed on the southern elevation. These are to the main living area and bedrooms of this dwelling. These will be looking towards the garden area of this dwelling and to the side boundary with the neighbouring property number 46. There is dense vegetation between these dwellings, which is being kept and will prevent any harmful overlooking. There is a window proposed on the eastern elevation, this will look towards the front of the house and give oblique views of the side of number 46. It is considered that the proposed windows would not result in any material planning harm in terms of overlooking and is therefore acceptable.

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

Sustainable Transport

Stockers Avenue is an unclassified adopted road, subject to a 30mph speed limit.

Stockers Avenue lies to the northwest of Winchester City Centre and joins to Dean Lane to the north.

The application site is surplus garden land to the south-west of the existing dwelling 44 Stockers Avenue.

The vehicle access to the proposed new dwelling is via a new access off Stockers Avenue. The proposed access shown in 4.0 of the Design & Access Statement is considered acceptable.

The proposed parking is acceptable and meets the current parking standards for a dwelling of this size.

The proposal will therefore have no impact on highway safety and complies with policy DM18 of the LPP2.

Nutrients

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species

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(Amendment) Regulations 2011 is required as the proposal is for overnight accommodation affecting Nitrates and Phosphates. Therefore, an appropriate assessment was carried out and concluded;

There is a net increase of 1 dwelling on urban land and therefore, it is likely that there will be an impact from nutrients associated with the proposed development entering the Solent (0.97 Kg/N/year nitrates made and 0.02kg/TP/year). Winchester City Council has adopted a Grampian condition which requires a mitigation package addressing the additional input to be submitted to, and approved in writing by, the LPA.

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

The applicant has entered into a legal agreement, which has been submitted to the planning department and is acceptable in principle, to purchase the above amount of credits from land owner (The Grange Estate) to offset the impact of their development on the water environment of the Solent.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition (condition 12) complies with this strategy and would result in nitrate neutral development. The applicant has demonstrated that there is a viable scheme for the mitigation of the impact of additional phosphates. The LPA will secure details of this agreement.

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

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

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

Ecology

Immediately to the south of the site is Royal Winchester Golf Course (Teg Down) Site of Importance for Nature Conservation (SINC). Although there is no reference to this designation in the submitted ecology report, to ensure this designation is protected during the construction phase, a CEMP (Construction Environmental management Plan) would be required, which could be secured via a Planning condition 15.

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The existing trees and hedgerows along the boundary in southern and western corner of the site are to be kept and enhanced with the planting of native fruiting shrub species. The southern corner of hedgerow bases along the western and south eastern boundaries will be managed more extensively to create rough grassland edged and provide enhanced habitats for herptiles, invertebrates and small mammals.

There are records of slow worms in the vicinity of the site and the submitted ecology report confirms that there are suitable habitats on site for reptiles. However, the submitted ecology report confirms that the slow worms more optimal habitat is located within the retained area of garden associated within the existing dwelling. The suitable habitat within the site boundary is limited and mainly located along the boundaries, and therefore the proposed mitigation includes the persuasive clearance of habitats towards these more suitable areas that will be retained and protected. These areas will also serve as a buffer between the development and adjacent SINC, together with the retained hedgerows that will also be enhanced.

A PEA survey and daytime inspection for bats has been undertaken at 44 Stockers Avenue. Two Phase 2 bat surveys during the active bat season were recommended. Due to the nature of the surrounding habitat and the report confirming some low-moderate foraging from bats, a lighting condition is proposed (condition 14).

This application is not 'major development' and the application for planning permission was made before 2 April 2024 and therefore BNG is not required.

Therefore, this application is acceptable in ecology terms and the proposal complies with policy CP16 of the LPP1.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. Conditions 9 and 10 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

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

Condition 16 is proposed to ensure there is an electric vehicle point installed on this property. This would be in line with the Air Quality SPD Appendix F.

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

Sustainable Drainage

The proposed site is in FZ1 and has a very low risk of flooding from surface water. Therefore, no objections as raised to this proposal on flood risk grounds.

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The site is served by southern waters foul mains and the site can connect to this. A condition is recommend asking for details of foul and surface water to ensure the provision of an adequate and sustainable drainage system. (Condition 11)

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

Equality

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

Planning Balance and Conclusion

The applicant has worked with officers, and it is considered that the resulting scheme can be supported. The proposal for 1 new dwelling in this location is acceptable and not out of character to the spatial characteristics of the surrounding area. The proposal will be visible from the neighbouring properties but will not have an unacceptable adverse impact on residential amenity. There are no highway objections to the proposal.

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

Recommendation

Application Permitted subject to the following conditions:

Conditions

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

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

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

Location plan – 2105B_EX_001_B
Topographical survey – 2105B_EX_010_B
Proposed block plan – 2105B_PR_001_D
Combined proposed site plan – 2105B_PR_012_B
Proposed basement floor plan – 2105B_PR_102C
Proposed ground floor plan – 2105B_PR_112_C
Boundary Section and street scene elevation – 2105B_PR_201_B

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East and south elevations proposed – 2105B_PR_300_D

West and north elevations proposed – 2105B_PR_301_D

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the north and west elevations of the dwelling hereby permitted.

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

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

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

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

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

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

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

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

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

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

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

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

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

11. 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.

12. 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
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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.

13. Development shall proceed in accordance with the Ecological Assessment by CC Ecology (November 2023, updated September 2024), unless varied by a European Protected Species (EPS) license issued by Natural England. Thereafter, the works shall be permanently maintained and retained in accordance with the approved details.

Reason: To safeguard protected species and to comply with CP16 of the LPP2.

14. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting scheme should be in accordance with Guidance Note 08/23 produced by the Bat Conservation Trust and Institute of Lighting Professionals. This information shall include a horizontal illuminance contour plan as well as an explanatory document detailing the specification of each luminaire. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and protected species from light pollution.

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

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

Works shall be undertaken in accordance with the approved details and remain in force for the duration of the construction period.

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

17. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment 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 development shall not be completed other than in accordance with the approved details. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

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

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

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

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

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

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

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA2, CP2, CP3, CP10, CP11, CP13, CP14, CP16, CP17 and CP20

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Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations:
DM1, DM2, DM15, DM16, DM17 and DM18

04. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

05. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

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

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

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

07. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

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

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

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

08. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House
Case No: 23/02552/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or
www.southernwater.co.uk

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

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

10. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:

- The Development is not 'major development' and the application for planning permission was made before 2 April 2024.