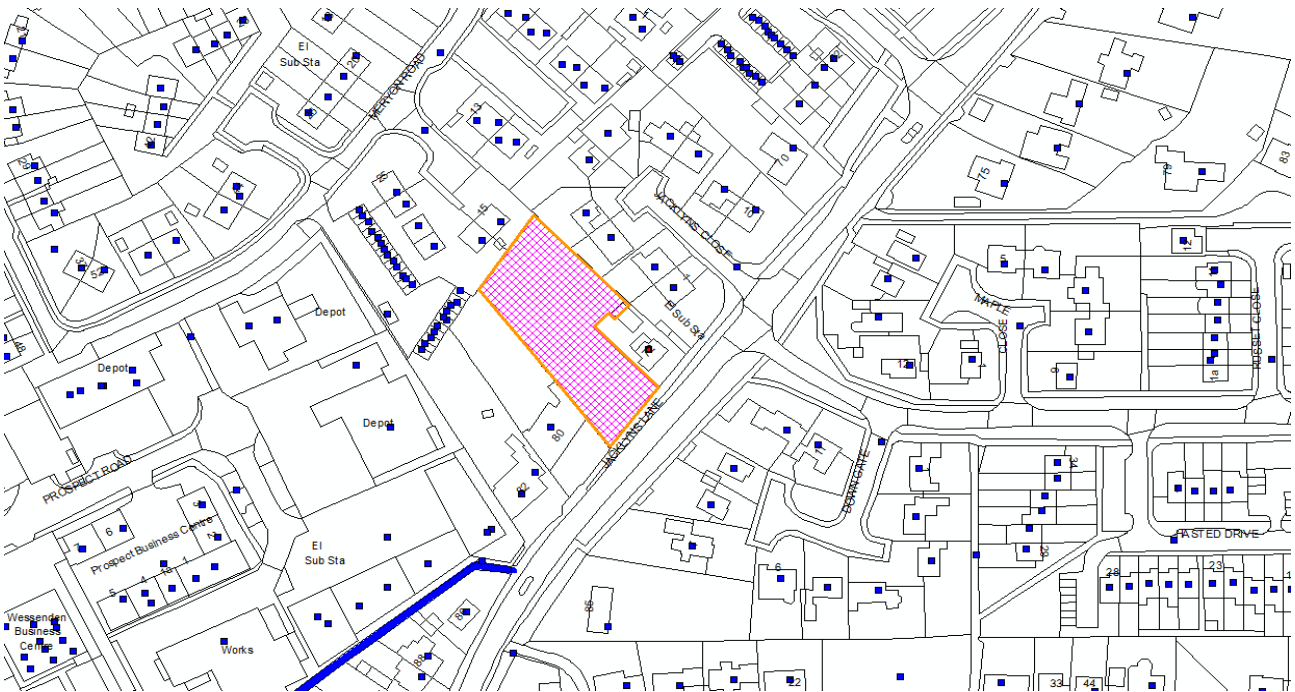


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Case No: 24/01547/FUL
Proposal Description: Residential redevelopment of part of 72 Jacklyns Lane comprising 4 no. three bedroom semi detached houses and 1 no. three bedroom detached chalet bungalow with associated new crossover, access, parking, binstore and landscaping works. (Amended Plans)
Address: Yettan, 72 Jacklyns Lane, Alresford, Hampshire, SO24 9LJ
Town Council: New Alresford Town Council
Applicants Name: Mr Oliver Kubicki
Case Officer: Matthew Rutledge
Date Valid: 18 July 2024
Recommendation: Permit
Pre Application Advice: Yes

Link to Planning Documents

[Link to page – enter in reference number 24/01547/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 the proposed site is a suitable location in accordance with DM1 of the LPP2 and that it will conserve the character of the area in accordance with Policies DM15 and DM16 of the LPP2. It is also considered that it would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

General Comments

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

Ward Councillor Pinniger has requested for the application to be determined by Planning Committee, based upon material planning considerations is shown in Appendix 1.

Ward Councillor Power has requested for the application to be determined by Planning Committee, based upon material planning considerations is shown in Appendix 2.

Amendments to Plans Negotiated

The application was submitted following discussions and advice provided at pre-application stage.

As can be seen on the revised site plan LWP-1223-P01 Revision A submitted 25 September 2024, further amendments to the originally submitted plans were negotiated as follows:

- Use of brick walls for the boundary treatments along the access road and to the rear of units 1 & 2.
- Inclusion of rear access and footpath for unit 2.
- Inclusion of visitor parking space.
- Various recommendations regarding planting.
- Use of block paving for shared surface.

It should be noted that the applicant has also adjusted the position of unit 5 and the turning area within the site to be approximately 1.5m further away from the boundary between the site and the rear gardens of 1, 2, & 3 Jacklyns Close. This is also shown in the revised site plan LWP-1223-P01 Revision A.

Further amendments were requested and revised plans were received 25 November 2024. The amendments were to move one of the parking spaces for Unit 3, make a minor amendment to the design of Units 1, 2, 3 & 4, and has resulted in the positioning of the rear three units moving approximately 150mm south west.

The movement of the parking space is considered to improve the vista when looking north west into the site from Jacklyns Lane. The alteration to the design changes the dormer windows from half hip to full gable and uses dark eaves on the proposed dwellings, these changes are considered to better reflect the existing dwelling 72 Jacklyns Lane. The repositioning of Unit 3's parking space has allowed for the rear three units to be moved fractionally further away from the nearest neighbours in Jacklyns Close.

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Additional on-site biodiversity enhancements were also requested, and the Ecological Impact Assessment has been updated to accommodate this. The on-site biodiversity measures now include the following:

- Native species tree planting
- Two bird boxes on each new dwelling
- One bat box on each new dwelling
- One bee brick on each new dwelling
- Hedgehog gaps between garden fences.

The amendments submitted on 25 November 2024 are considered to be minor and would not impact on surrounding neighbours. As such, re-advertising these alterations was not considered necessary.

Site Description

The application site is within the defined settlement boundary of New Alresford. The site is presently the residential garden of 72 Jacklyns Lane, measuring approximately 0.2 hectares in area.

Jacklyns Lane is a classified B road linking New Alresford to Cheriton, to the south. The road cuts through the residential development of New Alresford, with dwellings both immediately fronting the road and set within the wider development to either side, accessed by unclassified residential streets.

72 Jacklyns Lane is an attractive mid-twentieth century dwelling featuring red brick and a slate roof. The property presents a wide but shallow frontage to the street, and while a number of extensions have been added to the rear over the years, they remain subservient and relatively unnoticeable from the public realm.

A substantial *Leylandii* hedgerow provides the boundary treatment between the front (southeast) of the site and Jacklyns Lane. This hedge also extends across most of the frontage of the neighbouring bungalow, 80 Jacklyns Lane.

Southwest of the site are the bungalows 80 & 82 Jacklyns Lane, with number 80 being immediately adjacent. A combination of hedging, fencing, and the garage wall make up the boundary treatment between 80 Jacklyns Lane and the application site.

To the north is situated Jacklyns Close, with the rear gardens of numbers 1 – 4 backing onto the application site. The boundary treatment is predominantly close board fencing, however, a cotoneaster hedge forms the boundary between the site and 3 Jacklyns Close. In addition, there is an electrical substation positioned between 72 Jacklyns Lane and 1 Jacklyns Close.

To the northwest, at the rear of the site, the bungalows 15 & 17 Meryon Road share a rear boundary with the application site. An ornamental hedge provides the boundary treatment here. There is a drop in ground level at the boundary line such that the bungalows are set at a lower level than the application site.

East and southeast, the other side of Jacklyns Lane, the rear of a number of properties

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situated in Down Gate and Maple Close can be seen. These developments branch off Linnets Road, which joins Jacklyns Lane slightly northeast of the application site.

The area has a suburban feel although softened by hedges and trees that provide boundary treatments. Opposite the site is a grass verge, where saplings have been planted, that separates Jacklyns Lane from the footpath along its eastern side.

The character is overall somewhat mixed. Properties further southwest that front directly onto the street are two storey with hipped roofs. This gives way to the two bungalows, 80 & 82, which have a substantial footprint. Number 72 returns to the two storey, hip roof design. The dwellings in Jacklyns Close are two storey semi-detached, featuring a pitched roof design and tile hanging to the front elevation. The dwellings that are visible opposite the site in Down Gate and Maple Close are similar in design to those in Jacklyns Close, albeit they are predominantly detached properties. Further northeast along Jacklyns Lane there are additional bungalows to the western side of the road with two storey dwellings opposite on the east side. There is also a commercial estate to the west of the site on Prospect Road which, while not visible from Jacklyns Lane, is set immediately to the west of 82 Jacklyns Lane and behind 86 – 96 Jacklyns Lane.

Proposal

The proposal is for infill development of five new three bedroom dwellings within the substantial curtilage of 72 Jacklyns Lane.

Four of the dwellings will be two storey and semi-detached, while the fifth will be a detached bungalow. All the dwellings will use a red brick and slate roof tiles to match the existing property, 72 Jacklyns Lane.

A new access will be created at the southern corner of the site, which will lead to a parking and turning area spreading across the width of the centre of the site. Each property will have two allocated parking spaces, and the development also provides one visitor space.

Provision is made for a bin store and separate collection point.

The proposal would result in a density of approximately 25 dwellings per hectare, or approximately 26 if the remaining 72 Jacklyns Lane and its curtilage is factored into the calculation.

Relevant Planning History

None.

Consultations

Service Lead – Built Environment (Urban Designer) –

- Form, scale, and mass of buildings considered to be appropriate within setting and context of area, as well as respectful to neighbours.
- Suggestions relating to parking provision and location, particularly for unit 2.

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- Landscaping plan required to detail plot boundaries, boundary treatments, surface materials and SuDS.
- Miscellaneous patches of grass to be incorporated into curtilages where possible.
- Potential relocation of access.

Service Lead – Engineering (Drainage) -

- No objections subject to pre-commencement condition to ensure provision of adequate and sustainable drainage system for foul and surface water.

Service Lead – Sustainability and Natural Environment (Ecology) –

- Further details in relation to biodiversity net gain required.
- Condition required to ensure no bats present in current garden structures prior to removal.
- Proposed mitigation and enhancement measures are largely acceptable but additional bat boxes and native planting requested.

Service Lead – Sustainability and Natural Environment (Landscape) –

- Large proportion of the site would change from green, open space to built space/hardstanding.
- Little space for biodiversity net gain.
- Bin store locations not ideal.
- Band of planting between access road and boundary should be considered.

Service Lead – Sustainability and Natural Environment (Trees) –

- No objection subject to recommended conditions.

Service Lead – Sustainability and Natural Environment (Sustainability) –

- Policy CP11 is likely to be met for both water and energy, although further details required to predict the actual energy performance.

Service Lead – Public Protection (Environmental Health) –

- In respect of contaminated land – no objections subject to the inclusion of recommended conditions.

Hampshire County Council (Highway Authority) –

- Highlighted that the applicant will need separate agreement with Hampshire County Council as Highways Authority in order to undertake construction of the access.
- Visibility splays as indicated in the Transport Assessment drawing 2024-5090-001 are acceptable.
- Proposed parking provision does not raise concerns about overspill onto the local highway.
- The Transport Assessment drawings demonstrate acceptable vehicle tracking in relation to the access and manoeuvring on site. This includes for light vans and fire engines.

Natural England -

- No objection subject to securing appropriate mitigation. Concur with the conclusions of the appropriate assessment dated 11 October 2024.

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Representations:

Councillor Margot Power of the Alresford & Itchen Valley ward has objected on the grounds summarised below. See also appendix 1.

- Distance to neighbouring properties.
- Overdevelopment of the site.
- Unacceptable amount of traffic generated.
- Access is for both vehicles and pedestrians.
- Concerns over bin lorries reversing in site.

Councillor Clare Pinniger of the Alresford & Itchen Valley ward has objected on the grounds summarised below. See also appendix 1.

- Access is too narrow.
- Unit 5 too close to neighbours.
- Too many dwellings on site.
- Design not in keeping with existing design principles of surrounding properties.
- Traffic generated would be unacceptable.
- Access is for both vehicles and pedestrians.
- Concerns over bin lorries reversing in site.

Councillor Russell Gordon-Smith of the Alresford & Itchen Valley ward has objected on the grounds summarised below:

- Impact on neighbours due to proximity of proposed unit 5.
- Noise and disruption from vehicles entering & exiting the site.
- Overdevelopment.

The Alresford Society raised concerns summarised as follows:

- Little provision for biodiversity.
- Impact on neighbours, particularly 80 Jacklyns Lane and 3 Jacklyns Close.
- Suitability of access.
- Suitability of parking.

New Alresford Town Council has objected on the grounds summarised below:

- Lack of affordable housing.
- Hedges should be retained and protected.
- Obstructed site lines from access.
- Inadequate turning area.
- Potential for cars to park on Jacklyns Lane.

20 Objecting Representations were received from different addresses with 15 of these reaffirming their objection following notification of the submitted revised plans. The objections cited the following material planning reasons:

- Location and suitability/safety of the proposed site access.
- Inadequate parking/inadequate visitor parking/possibility of parking on the street or

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nearby streets.

- Overdevelopment of the site.
- Proximity of proposed dwellings to neighbours (mainly those in Jacklyns Close) and resulting loss of light & overbearing nature.
- Negative impact on biodiversity.
- Flood risk.
- Character of the development is not in keeping with surroundings.
- Noise pollution.
- Unacceptable traffic generated.

4 Supporting Representations received from different addresses citing the following material planning reasons:

- Sensible layout and considerate to neighbours.
- Sufficient space around proposed properties creating an attractive development.
- More housing needed.
- Respects character of the area.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

Chapter 2 – Achieving Sustainable Development

Chapter 4 – Decision Making

Chapter 5 – Delivering a Sufficient Supply of Homes

Chapter 8 – Promoting healthy and safe communities

Chapter 12 – Achieving Well Designed and Beautiful Places

Chapter 15 – Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

Natural Environment 2019

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 CP1 - Housing Provision

Policy CP2 - Housing Provision and Mix

Policy CP11 - Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP15 – Green Infrastructure

Policy CP16 – Biodiversity Policy

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

Policy DM1 – Location of New Development

Policy DM2 – Dwelling sizes

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Policy DM15 – Local Distinctiveness
Policy DM16 – Site Design Criteria
Policy DM17 – Site Development Principles
Policy DM18 – Access and Parking
Policy DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Air Quality Supplementary Planning Document 2021
Residential Parking Standards 2009
Waste Management Guidelines and Bin Arrangements

New Alresford Design Statement

Other relevant documents

Winchester District Local Plan 2020-2040: Regulation 19 Consultation
Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Nature Emergency Declaration.
Statement of Community Involvement 2018 and 2020
Position Statement on Nitrate Neutral Development – February 2020

Emerging Policy

The consultation period for the proposed changes to the NPPF has been completed, which identifies an anticipated approach on Government policy. However, as this is only a public consultation document at this stage, it does not yet hold substantial material weight.

The Emerging Local Plan, as now agreed by Full Council, has been submitted to the Secretary of State for examination and can be given appropriate and increasing weight in the assessment of development proposals in advance of examination and adoption.

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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 application site is within the defined settlement boundary of New Alresford where the principle of development is acceptable, provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

Following a decision by the Court of Appeal (May 2016) the Government has implemented its November 2014 policy that sites of 10 homes or fewer (or no more than 1000 square metres gross floorspace) will be exempt from policies seeking affordable housing provision or contributions. This has been confirmed by changes to [Planning Practice Guidance \(paragraph 023\)](#).

While policy CP3 remains part of the Development Plan, and the Council still aspires to achieve its provisions (40% affordable housing provision where viable on all sites), Government policy currently prevents this for sites of 10 or fewer dwellings. Therefore, for applications determined after 19 May 2016, Local Plan policy CP3 will be applied in compliance with current Government advice.

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

During the pre-application process, it was advised that the design and appearance of the proposal should be informed by 72 Jacklyns Lane, an attractive mid-twentieth century property featuring red brick, slate roof tiles, and mirrored chimney stacks.

It was advised that units 1 & 2 should reflect the design and shape of number 72 in order to avoid an incongruous form that would be detrimental to the street scene. As such, the current design now reflects many features of number 72. For example, taking the semi-detached pair as a whole, the building reflects the wide but shallow frontage of number 72. The design also reflects the hipped roof of number 72, while also breaking up the form and allowing each semi to be read individually. The use of matching materials and the inclusion of bay windows and a chimney stack completes the visual similarities between the properties. In addition, as can be seen on the drawing Existing & Proposed Street Scene LWP-1223-P06, units 1 & 2 will have a lower eaves and ridge height than number 72. This helps the proposed semi-detached dwelling appear subservient to number 72 and also lessens the contrast in height between the adjacent bungalow, 80 Jacklyns Lane, and the two storey dwellings.

The allocated parking spaces for the proposed development have been positioned such that the Leylandii hedgerow that provides the boundary treatment between the front (southeast) of the site and Jacklyns Lane is largely retained, except for a narrow gap to

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provide a pathway to the front door of unit 2 and the gap required to form the access to the site. This provides an element of screening of units 1 & 2 from the road and maintains the character of this part of Jacklyns Lane, which often features hedging and other greenery along the front boundary of properties fronting the road.

The view of the proposed development from Jacklyns Lane will be predominantly of units 1 & 2, as the dwellings to the rear of the site are set back over 45m from the road and are obscured from view by units 1 & 2 and by 72 Jacklyns Lane. Considering this, and the assessment of the character of units 1 & 2 above, it is considered that the main views of the proposed development from the public realm would therefore be in keeping with the context of the immediate area, as defined by number 72 Jacklyns Lane, and would not have a detrimental impact on the character of the wider area.

To the rear, units 3, 4 and 5 utilise matching materials to number 72 Jacklyns Lane. Units 3 & 4 also reflects the overall shape, hipped roof, and bay windows to create a similar appearance to number 72.

Unit 5 is a chalet style bungalow with rooms in the roof, and units 3 & 4 have been designed with a lower form than a typical two storey dwelling by utilising a gable-ended dormer design projecting above the eaves for the windows at first floor level, allowing the internal rooms to be of a typical height while keeping the eaves and ridge height to a lower level. This helps to reduce the impact of the proposed units 3, 4 and 5, particularly when viewed from Meryon Road looking towards the rear of the application site, as Meryon Road is set at a lower ground level.

Based on the above assessment of the proposed units 3, 4 & 5, it is not considered that these dwellings would have a negative impact on the character of the surrounding area.

The overall dimensions of the proposed dwellings have also been reduced during the pre-application process. This has provided some additional space between the dwellings and boundaries of the site and, in the case of units 1 & 2, has reduced the shape and bulk of these units to a level more consistent with 72 Jacklyns Lane in order to improve the views of the site from the street.

The proposal would result in a density of approximately 25 dwellings per hectare, or approximately 26 if the remaining 72 Jacklyns Lane and its curtilage is factored into the calculation. The density of the neighbouring Jacklyns Close is approximately 23 dwellings per hectare. Therefore, the density of the proposed development is considered to be comparable to neighbouring developments and would not negatively impact on the character of the area.

Having had consideration of the size of the dwellings, spacing between the dwellings, dwelling per hectare calculation, the width of the access & parking area, along with the ability for vehicles including vans and fire trucks to turn in the provided area, the site appears capable of accommodating these features adequately without presenting a cramped or overdeveloped appearance.

Whilst it is proposed that a landscaping plan, and the finer details of the landscaping to be provided, is secured via condition, the proposed site plan (drawing LWP-1223-P01) shows an indicative approach with a number of landscaping features that have been discussed with the applicant. These include new tree planting to the rear boundary and the boundary

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with properties 1 to 4 Jacklyns Close, planting along the boundary between 80 Jacklyns Lane and the access to the site, use of high quality boundary treatments within the site, ornamental tree planting and hedging within the site, and a high quality surface treatment for the shared access in the form of tegular block paving. These features will create an attractive development that incorporates various planting which is characteristic of the area.

Therefore, the proposal complies with policy CP13 of the LPP1 and policies DM1, DM15, and DM16 of the LPP2.

A number of the objections received to the proposed development have referenced overdevelopment of the site and claimed that the development is out of character with the surrounding area. These objections have been reviewed, however, for the reasons described above they are not considered to hold sufficient weight to justify the refusal of this application.

Development affecting the South Downs National Park

The application site is located approximately 345m 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 adjacent neighbour to the southwest of the site is 80 Jacklyns Lane. The property is a bungalow with substantial footprint, filling the full width of its plot.

The proposed semi-detached pair, units 1 & 2, will be approximately 6.5m from the shared boundary with number 80 at the closest point. Given this separation it is not considered that the proposed property would be overbearing to the point of negatively impacting the residential amenity of number 80.

Similarly, units 3 & 4 are approximately 2m to 3.5m from the shared boundary with number 80, depending on the point of measurement. Although closer to the shared boundary, the semi-detached property is situated further towards the end of number 80's garden and is

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approximately 17m between the closest parts of the properties. As such it is not considered that these units would be significantly harmful to the residential amenity of number 80 to result in the refusal of this application.

Number 80 is currently undertaking its own development to replace the flat roofs of existing extensions to either side of the original bungalow with pitched roofs. The development also enlarges an existing rear extension. The side elevation facing towards this application site does not feature any windows.

Number 80 has a long garden, extending around 40m from the rear of the property. While unit 1 is likely to have some views from first floor rear windows towards the garden of number 80, these are likely to be towards the middle and rear parts of the garden, which are considered to be of lower amenity value than the area immediately behind number 80. The distance from the rear windows to where the rearmost part of number 80 meets the shared boundary is approximately 12m. Views into the garden of number 80 will therefore be over a distance in excess of 12m and will be at an oblique angle. In the context of a suburban area, this would not be considered significantly detrimental to result in the refusal of this application.

There is one side elevation window at first floor level looking towards number 80. This window serves an ensuite and is to be obscure glazed. As such this window is not considered to impact on the privacy of number 80.

Views towards number 80 from unit 2 are partially blocked by unit 1 and are at a distance of over 20m, therefore this is not considered to have a harmful impact on the privacy of number 80.

Units 3 & 4 will also feature rear windows at first floor level. Due to the position of these two properties in relation to number 80 and its garden, it is considered that views would only be possible towards the rear corner of the garden. This area would not be considered to have a high amenity value and therefore the impact on the privacy of number 80 is minimal. Unit 3 also features a window at first floor level in its side elevation looking towards number 80. Again, this window serves an ensuite and is to be obscure glazed. As such this window is not considered to impact on the privacy of number 80. The front elevation of unit 3 will feature two windows at first floor level, with the potential to look southwest towards number 80. One of these windows serves a bathroom that will be obscure glazed. The other serves a bedroom and therefore creates views towards number 80. This window in Unit 3 and the rear windows of number 80 are separated by a distance of between 19 and 25m which, combined with the oblique viewing angle, is considered to be acceptable.

Therefore, although views are created towards the rear garden of number 80, for the reasons considered above the impact on the privacy of number 80 is not considered to be significantly harmful to result in the refusal of this application.

With 80 Jacklyns Lane being to the south of the site, it is not considered that the proposals could result in a loss of light to any part of the curtilage of number 80.

To the northwest of the site are the semi-detached bungalows, 15 & 17 Meryon Road. These properties have a small rear garden and are set at a lower ground level than the application site.

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The distance between the rearmost point of units 3, 4 & 5 and the shared boundary varies between approximately 11.5 and 13.5m. There is approximately 18m between the rear elevations of unit 5 and 15 Meryon Road, and 22m between the first floor rear elevation of unit 4 and the rear elevation of 17 Meryon Road.

The submitted drawing Proposed Site Section (SE-NW) LWP-1223-P09 indicates the relationship between units 3 & 4 and the two bungalows on Meryon Road.

Given the distances involved, and the fact unit 5 is a chalet bungalow and units 3 & 4 have a slightly lower form than a typical two storey dwelling, it is not considered that the proposed dwellings would be overbearing on the amenity of numbers 15 & 17 Meryon Road, even considering the changing ground level. The proposed tree planting, as can be seen on the proposed site plan and section drawing, would also provide some screening of the proposed dwellings when viewed from 15 & 17 Meryon Road.

Unit 5 is a bungalow and while it does have a first floor to provide two bedrooms and a bathroom, the only windows serving these rooms are rooflights. There are no rooflights proposed in the rear elevation and therefore there are no windows that would give views into 15 & 17 Meryon Road or their gardens. The sloping ground level is not considered to be so substantial that ground floor windows would have a view into the bungalows.

The views from the first floor windows of units 3 & 4 are over 20m window to window, which is typically considered acceptable in a suburban setting. The tree planting as shown on the proposed site plan and section drawing would also mitigate any views from units 3 & 4.

As the two storey elements of units 3 & 4 are set approximately 14 - 15m from the shared boundary, it is not considered that the dwellings would overshadow the gardens of 15 & 17 Meryon Road.

72 Jacklyns Lane will be positioned to the east of the proposed development. The separation between unit 2 and number 72 is approximately 2.5m and the depth of unit 2 is comparable with the various rear extensions that have been added to number 72 over the years. The eaves and ridge height of units 1 and 2 are also lower than that of number 72. For these reasons, the proposed development is not considered overbearing when experienced from number 72 Jacklyns Lane.

Windows at first floor level in Unit 2 will create views towards the garden of number 72, however, this will be at an oblique angle and mainly looking towards the rear corner of the garden which would be considered acceptable in a suburban environment. Although unit 2 has a window at first floor level in the side elevation overlooking number 72, this window serves an ensuite and will be obscure glazed.

The chalet bungalow, unit 5, is positioned directly behind number 72 within the site. As it does not have any windows at first floor level in its front elevation, it will not create any views into the curtilage of number 72 or the property itself.

The first floor windows in the front elevation of unit 3 may create views towards the rear garden of number 72, however, at a distance of 15m to the shared boundary and over 25m

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window to window, this is not considered to be detrimental to the privacy of number 72 Jacklyns Lane.

As such, it is not considered that the residential amenity of 72 Jacklyns Lane would be substantially negatively impacted by the proposed development.

Considering the possibility of overlooking within the site between the proposed dwellings, the first floor windows of units 3 & 4 would look towards the rear gardens of units 1 & 2. At a distance of around 15m to the rear boundary wall of units 1 & 2, and approximately 25m to the rear elevations, this is not considered to result in significant issues of overlooking. Unit 5 has two rooflights in its south west elevation that serve bedrooms on the first floor. Unit 4 has a side elevation window facing towards unit 5. With the window of unit 4 being slightly higher than the rooflights of unit 5, there is the possibility of the creation of views into the bedrooms of unit 5. The side elevation window of unit 4 serves a bathroom, however, and the plans confirm this window will be obscure glazed.

To the north lie the neighbouring properties 1 - 4 Jacklyns Close, which have rear gardens backing onto the application site.

1 Jacklyns Close shares a boundary with 72 Jacklyns Lane which remains unchanged under this proposal. There is a very small overlap with the boundary of the application site of approximately 1.5m in the southwest corner of number 1's garden. New tree planting is proposed along the boundary line. It is not considered that any of the new dwellings would have views towards number 1, with unit 5 having no first floor windows facing in this direction and unit 4 being over 20m from the boundary. It is therefore not considered that the residential amenity of 1 Jacklyns Close is negatively impacted by the development in terms of loss of privacy, loss of light, or development of an overbearing nature.

The rear boundary of 2 Jacklyns Close is shared with the application site and is adjacent to the proposed turning area. It is, however, well removed from any of the proposed dwellings and, again, new tree planting is proposed along the shared boundary. It is therefore not considered that the residential amenity of 2 Jacklyns Close is negatively impacted by the development in terms of loss of privacy, loss of light, or development of an overbearing nature.

4 Jacklyns Close shares its rear boundary with the north corner of the application site. Unit 5, the chalet bungalow, overlaps with the boundary of 4 Jacklyns Close by approximately 1.8m. This leaves the remaining 15m width of the garden boundary of number 4 unimpacted by the proposed development. Unit 5 has one rooflight in its north elevation, however, this serves a bathroom and has been marked on the plans as being obscure glazed. As such, there are no views created towards number 4 that would negatively impact on its privacy. At its closest point, unit 5 is over 5m from the shared boundary with number 4. New tree planting is again proposed along the shared boundary. Given this, and the small amount of overlap with the building itself, it is not considered that 4 Jacklyns Close is negatively impacted by the development in terms of loss of light, or development of an overbearing nature.

3 Jacklyns Close is the closest of the properties on Jacklyns Close to the proposed development. This property has a shallow garden space to the rear, which is adjacent to the site. The depth of this garden ranges between approximately 5m and 7m. Unit 5 is approximately 5m to 5.5m from the shared boundary with number 3. The majority of the

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side elevation of unit 5 overlaps with the curtilage of number 3, with approximately 9m of the depth unit 5 being almost parallel with the rear boundary of number 3. Unit 5 has been specifically designed as a chalet style bungalow to minimise the impact on neighbours. With an eaves height of approximately 3m and a roof shape that slopes away from the boundary, combined with proposed tree planting along the shared boundary to soften the outlook from number 3, it is not considered that unit 5 would be substantially overbearing when experienced from 3 Jacklyns Close to result in the refusal of this application. As mentioned above, unit 5 has one obscure glazed rooflight in its north elevation facing towards 3 Jacklyns Close. As the window is frosted, and there are no ground floor windows in this side elevation, there are no views possible towards number 3. Daylight modelling drawings have been submitted showing the impact of overshadowing on the garden of 3 Jacklyns Close. This shows that, on 21st March, the garden of number 3 is not in the shadow of unit 5 between the hours of 8am and 2pm. At 3pm part of the garden begins to fall in shade. This meets the BRE guidelines that states that at least two hours of sunshine should be received on 21st March. It should also be noted that since these models were created unit 5 has been moved 1.5m further away from the boundary with 3 Jacklyns Close, and therefore the impact of overshadowing will be even less than shown in these models. Based on the above assessment it is not considered that 3 Jacklyns Close would be negatively impacted by the development in terms of loss of privacy, loss of light, or development of an overbearing nature, to a degree that would warrant refusal of this application.

The provision of the new access along with the parking and turning area in the middle of the site has the potential to result in noise disturbance for the surrounding neighbours. Given the low vehicle speeds, low number of trips generated from a small development of only five homes, and the proposed planting along the boundaries to provide a sound barrier, it is not considered that noise resulting from the use of the access, parking or turning area would be substantially harmful to the residential amenity of neighbouring properties.

The applicant has raised the nearby infill development, Prospect Place (20/02609/FUL), as a comparable scheme. Prospect Place is approximately 250m from this application site and introduced seven two storey dwellings. The applicant refers to the comparable distances to neighbouring properties, while highlighting the fact the dwellings in the Prospect Place scheme are full height two storey dwellings whereas the proposed two storey dwellings under this scheme are reduced in height, and Unit 5 has been designed as a bungalow to specifically reduce impacts on the nearest neighbours. The applicant also highlights the fact that the Prospect Place scheme includes a parking/turning area in close proximity to neighbouring dwellings, and a much higher density of dwellings per hectare.

21 comments of objection have been received in relation to these proposals. These objections are on various grounds as already listed in this report, many of which will be addressed in other sections of the report. The Neighbouring Amenity section has, however, assessed the impact of the development on nearby residents from the point of view of loss of light, loss of privacy, potential sense of overbearing and noise disturbance. For all the reasons described above in this section of the report, it is not considered that these objections hold sufficient weight to warrant the refusal of this application.

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One objection has mentioned that the proposed new tree planting may itself result in a loss of light to garden space. The details of the planting will be controlled by condition and officers will ensure that a species of planting at an appropriate scale is chosen.

Based on the assessment above, the proposal complies with policy DM17 of the LPP2.

Sustainable Transport

The proposal results in the creation of a new access onto Jacklyns Lane, which will be positioned in the southwest corner of the site. The access will be 5m wide at Jacklyns Lane, widening to 6m within the site to allow for manoeuvring vehicles. A turning area is provided within the site that is sufficient for use by light vans and fire vehicles.

The proposal provides two allocated parking spaces for each property and one visitor parking space to serve the development. Per the Council's Car Parking Standards Supplementary Planning Document, three bed dwellings should have two allocated spaces. The proposed development therefore meets this standard for resident parking. With regard to visitor parking, research suggests that an extra 0.2 spaces per dwelling is needed to cope with visitor parking requirements. As the development introduces five new dwellings, this would equate to one visitor parking space – which the development provides. It should also be noted that there is unrestricted on-street parking available in nearby locations such as Jacklyns Close and Linnets Road. These locations would be suitable for on-street parking and given the small size of the development, along with the visitor space provided, it is considered that use of on-street parking by visitors would be infrequent and by a low number of vehicles. As such, the availability of visitor parking is considered acceptable.

It should be noted that the resident parking for unit 2 has been positioned within the site to the rear of unit 2, rather than at the front of the property accessed directly from Jacklyns Lane. This was requested to enable the retention of significantly more of the hedge providing the boundary treatment with Jacklyns Lane to the front of the site, and also to avoid vehicles needing to reverse on or off Jacklyns Lane. Due to this, the allocated parking for unit 2 has been positioned to the rear of the property's garden with a short pedestrian pathway leading to a rear access gate. The intention is that this will provide convenient access to the property for residents once parked and will prevent the temptation to park on-street. Whilst the solution may not be perfect, it is considered that the benefits described above outweigh the inconvenience to occupants of unit 2.

The access will operate as a shared surface, for both vehicles and pedestrians. With a width of 5m at minimum, there is ample space for pedestrians and vehicles to pass each other. The surface will utilise tegular block paving which encourages low vehicle speeds. The Department for Transport and the Ministry of Housing, Communities and Local Government confirmed that pedestrians and vehicles sharing a street level surface is acceptable for residential streets with very low levels of traffic, such that may end in a cul-de-sac or similar. The Highways Authority, Hampshire County Council have confirmed that it follows this advice. As the proposed access road serves only five properties it is considered to have a very low level of traffic, additionally, the street culminates in a turning area not dissimilar to a cul-de-sac. Therefore, the use of a shared surface is acceptable in the context of this development.

Each dwelling will also be provided with a secure cycle store for three bicycles, to promote sustainable forms of travel. Based on the number of bedrooms provided by each property,
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storage for three bicycles meet the requirements in the Council's Car Parking Standards Supplementary Planning Document.

Hampshire County Council (HCC) have been consulted on the application as the relevant Highway Authority. Having assessed the width of the access road and the visibility splays, HCC have concluded that they are in alignment with the appropriate standards.

HCC have confirmed that the parking provision does not raise concerns regarding overspill parking on the local highway.

HCC have reviewed the vehicle tracking drawings that demonstrate that vehicles, including light vans and fire engines, are able to enter, exit, and manoeuvre within the development without issue.

The Highway Authority has recommended no objection to the proposed development.

A number of objections to this proposal that have been received reference inadequate parking, object to the use of a shared surface, and claim that the access to the site would be dangerous. Based on the above assessment and the transport drawings provided, it is not considered that these objections hold merit.

Therefore, the proposal complies with policy DM18 of the LPP2.

Waste Management Strategy

The applicant has confirmed that each dwelling will be provided with two 240 litre bins, one for refuse and one for recycling.

The proposed site plan indicates the locations of a communal bin store and a bin collection point. The communal bin store is within 30m of all the dwellings and therefore meets the requirements of the Council's Waste Management Guidelines, which states that residents should not be expected to carry their refuse and recyclable material more than 30m to their wheeled bin.

The Guidelines also state that residents should not have to wheel their bin more than 15m from the storage point to the collection point. The proposed collection point is approximately 10m from the storage point and therefore the proposed development also complies with this requirement.

Refuse collection crew members are not expected to move wheeled bins over a distance greater than 15m. The bin collection point is within 15m of Jacklyns Lane and therefore this requirement is met. As the collection point is positioned within 15m of Jacklyns Lane there is no requirement for refuse collection vehicles to manoeuvre into or out of the site.

Ecology and Biodiversity

An Ecological Impact Assessment has been submitted in support of the application. The Council's Ecologist has been consulted in regard to the report, and their comments can be read separately.

In summary, the Ecologist is satisfied that bats have been appropriately considered and assessed. The Impact Assessment states at 6.3.1 that a pre-works check of the existing storage structures in the garden of 72 Jacklyns Lane should be undertaken to check for

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bats. The Ecologist has requested that this is a condition of any permission granted (Condition 4).

The Ecological Impact Assessment has identified mitigation measures in the form of the provision of two swift boxes on each property and one integrated bat box on one of the dwellings. The Ecologist has recommended that the bat box provision is increased to one per dwelling. The Ecologist has also suggested that native planting would further enhance the site for wildlife.

The revised version of the Ecological Impact Assessment, submitted 25 November 2024, has increased the proposed on-site biodiversity measures to the following:

- Native species tree planting
- Two bird boxes on each new dwelling
- One bat box on each new dwelling
- One bee brick on each new dwelling
- Hedgehog gaps between garden fences.

A full landscaping plan will be secured by condition (condition 5) and the use of appropriate native planting in that landscaping plan would be required. Condition 4 secures the above biodiversity measures.

The revised Ecological Assessment is therefore considered to have addressed the concerns of the Ecologist and as such the application accords with policy CP16 of the LPP1.

Biodiversity Net Gain

The site will be required to meet the mandatory biodiversity net gain of 10%. The current proposal results in a substantial loss of habitat units on site (reduction of 70%) and it is therefore proposed to meet the 10% net gain by the provision of offsite enhancements.

The applicant has indicated that they are currently in the process of securing the necessary credits from the Environment Bank to compensate for the loss of habitat on site.

Government guidance is that, while planning applications should establish the baseline of biodiversity that exists on site and a strategy for delivering a 10% net gain, the delivery of this net gain is to occur after planning permission has been granted with details such as the Biodiversity Gain Plan and Habitat Management and Monitoring Plan to be approved prior to works commencing. In these circumstances the application has met these requirements and conditions are therefore attached (conditions 12, 13, 14) to ensure the submission of a suitable Biodiversity Gain Plan, Habitat Management and Monitoring Plan and an appropriate s106 legal agreement to secure funding relating to the monitoring of the off-site Biodiversity Net Gain.

Nutrient Neutrality

The proposal is for development within a Nationally Protected Site, i.e. the River Itchen SAC, and is for overnight accommodation affecting Nitrates and Phosphates.

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Appropriate Assessment.

Please refer to the Appropriate Assessment Statement, and subsequent consultee response from Natural England, at the link below:

[24/01547/FUL | Residential redevelopment of part of 72 Jacklyns Lane comprising 4no. three bedroom semi detached houses and 1no. three bedroom detached chalet bungalow with associated new crossover, access, parki... | Yettan 72 Jacklyns Lane Alresford Hampshire SO24 9LJ](#)

The application will likely have a significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as an average positive contribution over a 125 year assessment period of 4.35 kg/N/year and 0.25 kg/P/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 applicant has indicated that the new dwellings will connect to the main sewer and have secured legal agreements, signed documents have been provided, to secure the appropriate credits. The applicant has demonstrated that there is a viable scheme for the mitigation of the impact of the additional nutrients entering the Solent catchment resulting from the proposed development, and the LPA will secure details of this agreement. The LPA is satisfied that these details represent an appropriate level of mitigation and security that that mitigation will be implemented.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition (11) 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).

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 7a secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

Condition 7b then requests as-built data prior to the occupation of the unit to ensure that the requirements have been met.

The site is not within the Air Quality Catchment Area.

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

Drainage

The application site is in Flood Zone 1 and therefore has a low risk of pluvial flooding.

The proposed dwellings will connect to the main sewer, which is a realistic and sustainable option as the site is served by Southern Water's foul mains.

The Council's Drainage Engineer has been consulted on the application and has confirmed they have no objections subject to a standard pre-commencement drainage condition (8) for foul and surface water to ensure the provision of an adequate and sustainable drainage system.

Therefore, the proposal complies with policy CP17 of the LPP1.

Contaminated Land

The Council's Environmental Health team were consulted with regard to the potential for contaminated land. A number of conditions were recommended, including a pre-commencement and pre-occupation condition. On further discussion with the Environmental Health Officer, it was found that the pre-commencement and pre-occupation conditions were no longer needed. The remaining condition (9) will ensure that, should unexpected contamination be found, development shall cease and an appropriate assessment will be undertaken to identify the nature of contamination and any remedial actions required.

The proposal therefore complies with policy DM21 of the LPP2.

Trees

Policy DM24 of the LPP2 allows development which does not result in the loss or deterioration of ancient woodlands, important hedgerows, special trees, ground flora and the space required to support them in the long term.

The application has been supported by a tree survey. It has been identified that the application site and surrounding area does not contain any significant trees.

The Council's Tree Officer has been consulted with regard to the application and has confirmed that the arboricultural matters for the site have been appropriately considered and will not pose any constraints to the proposed development.

The proposal will therefore comply with policy DM24.

The Tree Officer has recommended that a condition for a new tree planting scheme should be included in order to improve the visual amenity of the local area and soften the built form. The applicant has indicated a preference to deal with the landscaping details via condition and therefore this will be incorporated into a wider landscaping condition (5) to secure a landscaping plan and all relevant details.

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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 application site is within the defined settlement boundary of New Alresford where the principle of development is acceptable subject to compliance with the Development Plan and material planning considerations.

Based on the above assessment there are no conflicts with the Development Plan and there are no adverse material planning considerations that would result in substantial harm to justify the refusal of this application.

Furthermore, the proposal would result in the provision of five new dwellings that would contribute towards the housing need.

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 shall be constructed in accordance with the following plans:

Proposed Site Layout, Block Plan & Site Location Plan LWP-1223-P01 Revision C

Proposed Site Comparison & Site Dimension Plan LWP-1223-P02 Revision C

Units 1 & 2 Proposed Plans & Elevations LWP-1223-P03 Revision A

Units 3 & 4 Proposed Plans & Elevations LWP-1223-P04 Revision A

Unit 5 Proposed Plans & Elevations LWP-1223-P05 Revision A

Exiting & Proposed Street Scene LWP-1223-P06 Revision A

Proposed Site Section (SE-NW) LWP-1223-P09

Proposed Rear Street Scene & Bin Store LWP-1223-P07 Revision C

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

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

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

4. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within the Ecological Impact Assessment dated October 2024, written by Sarah Forsyth of Ethos Environmental Planning and submitted to the Local Planning Authority on 25 November 2024. This shall include the pre-work check for bats as detailed in section 6.3.1 and the recommended enhancements summarised at section 7.5 of the above-mentioned report. Thereafter, the enhancement measures shall be permanently maintained and retained in accordance with the approved details.

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

5. No development shall take place 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:

Hard Landscape Works:

- All boundary treatment;
- Hard surfacing materials;
- Existing and proposed finished levels or contours;
- Means of enclosure, including any retaining structures;
- Car parking layout;
- Other vehicle and pedestrian access and circulation areas;
- Minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting etc);
- Proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):

The approved hard landscape works shall be completed prior to the first occupation of the dwellings hereby approved.

Soft landscaping works shall include:

- Planting plans (for new trees, hedges and other planting);
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- Implementation programme.

The scheme of soft landscaping works 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

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

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

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

7.a. 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.

7.b. 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 Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

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

8. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before occupation of the development hereby permitted.

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

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

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

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

- i. construction traffic routes in the local area
- ii. parking and turning of operative, construction and visitor vehicles
- iii. deliveries, loading and unloading of plant and materials
- iv. storage of plant and materials
- v. programme of works (including measures for traffic management)

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

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

11. The development hereby permitted shall NOT BE OCCUPIED until:

- a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

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.

12. In making an application to discharge the biodiversity gain condition prior to the commencement of development on site the following information shall be provided:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

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Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 186 of the National Planning Policy Framework (2023).

13. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan under Condition 14 has been submitted to and approved in writing by the Local Planning Authority (LPA). The HMMP shall include the following details:

- (a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (b) any necessary legal mechanism or covenant for securing the monitoring over the relevant period;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- (e) a proposed definition of 'completion of development' in respect of the development hereby approved.

The approved habitat creation and enhancement works shall be implemented in full within six months of the date of their written approval. Notice in writing shall be given to the LPA once the habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 186 of the National Planning Policy Framework (2023)

14. Before the development is commenced an appropriate legal agreement shall be submitted to the LPA and shall be executed. The agreement shall address the following matters:

- third party delivery of ongoing habitat management requirements
- the submission of monitoring reports by the third party to the LPA
- An appropriate fee to cover the LPA review of these reports
- a feedback mechanism to the LPA, allowing for the alteration of working methods/management prescriptions, should the monitoring deem it necessary

Reason: To secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 186 of the National Planning Policy Framework (2023).

15. 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 development permitted by **Classes AA, B and C**, of Part 1; of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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Reason: To ensure that the development is proportionate to the site in order to protect the amenities of the locality and to maintain a good quality environment.

Informatives:

1. In accordance with paragraph 38 of the NPPF (July 2018), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, CP20, MTRA1, MTRA2, MTRA3, MTRA4

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM3, DM15, DM16, DM17, DM18, DM23, DM27, DM28, DM29

High Quality Places SPD

Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Parking Standards SPD

NPPF Section 16

3. This permission is granted for the following reasons:

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

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

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

For further advice, please refer to the Construction Code of Practice

<https://www.considerateconstructors.com/resources/the-code-of-considerate-practice/>

6. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence

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under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub-contractors working on site and furnish them with a copy of the consent and approved drawings.

7. The developer should be made aware that subject to any planning permission being granted by the Local Planning Authority, a subsequent agreement will need to be granted by HCC as Highway Authority to undertake creation or extension of vehicular access on the Highway. Details of this procedure can be found via the following link: [Apply for a vehicular access | Transport and roads | Hampshire County Council](#)

8. IMPORTANT - Biodiversity Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

The planning authority, for the purposes of determining whether to approve the Biodiversity Gain Plan, would be Winchester City Council

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](#)

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Appendix 1

City Councillor's request that a Planning Application be considered by the Planning Committee

Request from Councillor: Clare Pinniger
Case Number: 24/01547/FUL
Site Address: off 72 Jacklyns Lane
Proposal Description: Residential redevelopment of part of 72 Jacklyns Lane comprising 4no. three-bedroom semi-detached houses and 1no. three-bedroom detached chalet bungalow with associated new crossover access.
Requests that the item be considered by the Planning Committee for the following material planning reasons: Public safety: 1. The shared access shown on the site plan for vehicles and pedestrians, given the probable amount of traffic, is worrying. Add to this the reversing bin lorry, and it is unsafe. 2. The lack of onsite parking will lead to parking on Jacklyns Lane, on the highway or on the verge. This road is both narrow and busy. While on-street parking could slow traffic, but there will be an impact on buses. Verge parking – unavoidable in the proposed scheme -will degrade the environment. Amenity to neighbours: Access is next to the boundary of 70 Jacklyns Lane; this will cause pollution nuisance. All gardens in Jacklyns Close are very shallow; the impact on residents will be significant and significantly impair enjoyment of their gardens. Preferred Outcome: That the application be rejected. A new application for 3 homes with sufficient parking; access adjacent to 72 Jacklyns Lane; the separation of pedestrians and vehicles; enough space for the bin lorry to enter and turn on site, and the preservation and enhancement of existing vegetation would be better than the current proposal; however, given the narrow width of Jacklyns Lane for its key functions and the associated traffic levels broadly make this a difficult site to develop safely. Site visit by the planning committee is also requested.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Appendix 2

City Councillor's request that a Planning Application be considered by the Planning Committee

Request from Councillor: Margot Power
Case Number: 24/01547/FUL
Site Address: of 72 Jacklyns Lane
Proposal Description: Residential redevelopment of part of 72 Jacklyns Lane comprising 4no. three bedroom semi detached houses and 1no. three bedroom detached chalet bungalow with associated new crossover, access,
Requests that the item be considered by the Planning Committee for the following material planning reasons: Public safety. 1. the site plan shows shared access for both vehicles and pedestrians, given the likely volume of traffic this is unacceptable, when the reversing bin lorry is added in this becomes unsafe. 2. Given the lack of onsite parking there will be parking on Jacklyns Lane, on the highway or on the verge. This is a busy road, and although the onstreet parking will slow traffic, there will be an impact on buses. Verge parking will be detrimental to the environment. Amenity to neighbours. The proposed access is against the boundary of 80 Jacklyns Lane, this will cause pollution nuisance. The gardens of Jacklyns Close are very shallow, the impact on residents will be significant and impact their enjoyment of their gardens. Preferred Outcome That this application be rejected. I would welcome a new application for 3 homes with adequate parking, the access adjacent to 72, separating pedestrians and vehicles, enough space for the bin lorry to enter and turn on site, and the preservation and enhancement of existing vegetation. Site visit by the planning committee is also requested.