

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/01697/FUL
Proposal Description: Erection of 4No. new dwellings with car parking along with use of existing access onto Anmore Road.
Address: Firgrove, 65 Anmore Road, Denmead, Waterlooville, Hampshire, PO7 6NT
Parish, or Ward if within Winchester City: Denmead Parish Council
Applicants Name: Mr Ben Olds
Case Officer: Joe Toole
Date Valid: 14 August 2024
Recommendation: Permit
Pre Application Advice: No

Link to Planning Documents

[Link to page – enter in reference number 24/01697/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
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Reasons for Recommendation

The development is recommended for permission as it is considered that it will not have an adverse impact on the character of the area in accordance with Policies DM15 and DM16 of the LPP2 and would not harm neighbouring residential amenity in accordance with Policy DM17 of the LPP2. The proposal is also considered to be acceptable on highways, ecology, drainage and tree grounds.

General Comments

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

Denmead Parish Council have requested for the application to be determined by Planning Committee, based upon material planning considerations. Their response is included as Appendix A.

This application is a resubmission of a previously withdrawn application – planning reference 23/02922/FUL. The key changes from the previous application are listed below:

- Reduction from 8 to 4 dwellings
- Altered design with habitable rooms to the north of the site and restricted views to the south with a cat slide roof form
- Units are now detached and chalet in style

A comparison Site Plan was provided showing the placement of the previous dwellings under planning reference 23/02922/FUL compared to the proposed plans under this application.

The red line of the application site has been questioned within neighbour objections. This was communicated with the applicant's agent and it has been confirmed that the ownership and red line has been checked and is accurate.

Amendments to Plans Negotiated

During the course of the application concerns were raised regarding the proximity of the proposed dwellinghouses to the properties directly to the south along Anmore Road and the size and massing of the proposed dwellinghouses. This was communicated to the applicant's agent and amended plans were received on 20 September 2024, moving the proposed dwellings 1 metre further north away from the properties along Anmore Road as well as changes to the roof designs from gable ends to hipped to reduce their massing. These revised plans were uploaded onto the application and readvertised for 21 days.

Further drawings have been submitted on 25 and 26 November 2024. These plans are providing clarification on information shown on existing plans and were therefore not reconsulted upon, as they were not considered a material change to the details previously consulted upon. All plans have however been uploaded to the public website.

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Site Description

The application site is located to the north of Anmore Road, within the built-up area of Denmead. The surrounding residential properties to the south of the site are a mixture of detached two storey dwellings, chalet and single storey bungalows with varying degrees of designs and sizes. To the north boundary there is open countryside fields with mature trees and hedges. To the east is Anmore Lodge. To the west is No.65 Anmore Road (Firgrove) and a row of flats.

The existing site is occupied by No.65 Anmore Road (Firgrove), a large detached two storey property with detached garages. The application site is the land to the east of the main house which forms part of the garden area for No.65.

The existing vehicular access is to the front of the application site serving Anmore Road. The site has a generally level topography.

There is a belt of TPO areas to the north-east and east of the application site. These are partly visible from the public realm along Anmore Road and along White Horse Lane. The species of tree is oak.

Proposal

The proposal involves the erection of 4No. dwellings consisting of 2No. three-bedroom properties and 2No. four bedroom properties on the disused land to the east of Firgrove and to the north of the properties No.67-73 Anmore Road.

Relevant Planning History

23/02922/FUL – Erection of 8No. new dwellings with car parking along with use of existing access onto Anmore Road. Withdrawn – 06.03.2024.

Consultations

Service Lead – Built Environment (Urban Designer) – Greater variety in design is needed, loss of natural habitat/BNG shortfall, location of visitor parking and landscaping requires further information.

Service Lead – Engineering (Drainage) – No objection subject to condition

Service Lead – Sustainability and Natural Environment (Ecology) – No objection subject to conditions

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

Service Lead – Sustainability and Natural Environment (Landscape) – Concerns however could be resolved via a secured condition

Hampshire County Council (Highway Authority) – No objection

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Natural England – No objection subject to securing appropriate mitigation

Southern Water – No objection subject to an informative

Portsmouth Water – No objection subject to condition

Naturespace – No objection subject to an informative

Representations:

Denmead Parish Council

Raises a strong objection by a majority (1 abstention, 1 against) with a request that the application is put before the Winchester City Council Planning Committee on the following grounds if the Planning Officer is minded to approve the application:

- Overlooking / loss of privacy is a material planning consideration. This proposal is contrary to Winchester City Council Local Plan Part Policies DM16 and DM17 as the proposal would have an unacceptable adverse impact on nearby properties by reason of overlooking, overshadowing and being overbearing. The application would affect the amenity and privacy of established properties
- There does not appear to be any explanation of where additional drainage (i.e. suds) is to be located on the site
- The Parish Council is disappointed to note once more the absence of any consultation between the developer and residents.

16 Objections from different addresses within the Winchester City Council administrative area citing the following material planning reasons:

- Drainage concerns
- Flooding concerns
- Lots of local development
- Overdevelopment
- Loss of privacy to nearby properties – overlooking concerns
- Overlooking on future occupiers
- Similar footprint to the previously withdrawn application
- Harmful ecological impacts and no Biodiversity Net Gain
- Removal of a large number of trees
- Access concerns with regards to safety
- Increase in traffic
- Parking concerns
- Overbearing close proximity to neighbouring properties
- Out of keeping with the character of the area
- Lack of regard to WCC Urban Design objection to previous planning application
- Closer to neighbouring properties than previous application
- High density development
- Loss of outlook from neighbouring properties
- Maintenance responsibility of the site such as trees and vegetation

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- Roofline too high
- TPO on site
- Overshadowing
- Unattractive appearance – terracing
- Noise and disturbance impacts
- Error on Ecological Assessment
- Design and materials out of keeping with the character of the area
- Contrary to WCC Policies and NPPF
- Disagree with Agent Response to Comments
- Concerns with regards to the accuracy of the proposed plans
- Contrary to updated Neighbourhood Plan

1 support comment citing the following material planning reasons:

- Helps alleviate the need for local housing
- The impact on the surrounding area will be minimal
- Appropriate size and design that will blend in well
- General level of traffic along Anmore Road appears to be low
- Extra vehicles would not have any noticeable, detrimental impact on the area

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

Section 2 Achieving Sustainable development.

Section 4 Decision Making

Section 5 Delivering a sufficient supply of homes.

Section 8 Promoting healthy and safe communities.

Section 9 Promoting sustainable transport.

Section 11 Making effective use of land.

Section 12 Achieving well designed places.

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

Section 15 Conserving and enhancing the natural environment.

National Planning Practice Guidance

Appropriate Assessment

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Light Pollution

Natural Environment

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

Planning Obligations

Use of planning conditions

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

DS1 – Development Strategy and Principles

MTRA3 – Other Settlements in the Market Towns and Larger Villages

MTRA4 – Development in the countryside

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CP1 – Housing Provision
CP2 – Housing Provision and Mix
CP10 – Transport
CP13 – High Quality Design
CP14 – Effective Use of Land
CP15 – Green Infrastructure
CP16 - Biodiversity
CP21 – Infrastructure and Community Benefit

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

DM1 Location of new development
DM2 – Dwelling Sizes
DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM19 – Development and Pollution
DM20 – Development and Noise
DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Denmead Neighbourhood Plan 2011-2031

Policy 1 – A spatial plan for the Parish
Policy 2 – Housing Allocations
Policy 3 – Housing Design

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Residential Parking Standards 2009

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) requires 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 Denmead where the principle of development is acceptable subject to compliance with the Development Plan and material planning considerations.

The site is identified as part of a housing allocation (Policy 2iv) within the Denmead Neighbourhood Plan. However, it should be noted that the allocation site has a greater area (0.48ha) than the proposed site (0.27ha) as it extends further west to incorporate the land to the north of 59 Anmore Road. The Neighbourhood Plan suggests 'about' 10 dwellings, comprising a mix of 1,2 and 3 bed units, could be accommodated across the wider allocation site, providing that there is adequate on-site parking and the scheme provides a landscape buffer with the open countryside to the north.

The amount of housing proposed on this part of the allocation site is considered acceptable. A masterplan for the wider allocation site has been submitted which demonstrates that the remainder of the allocation can continue to be developed and is not restricted by this proposal.

The proposal involves the erection of 4No. dwellings consisting of 2No. three-bedroom properties and 2No. four-bedroom properties. Policy CP2 of LPP1 states that the majority of homes should be in the form of 2 and 3 bed houses, unless local circumstances indicate an alternative approach should be taken, including where there is an imbalance of housing types and sizes in particular parts of the District. Whilst the proposal would provide 4 bed dwellings, 50% of the site also provides 3-bedroom units which will contribute to the 3-bed dwelling market for the area. The proposal therefore complies with the requirements of policy CP2 of the LPP1.

The principle of development is therefore acceptable.

Assessment under 2017 EIA Regulations.

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

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Development affecting the South Downs National Park

The application site is located approximately 0.27 miles from the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Due to the distance, intervening features, and modest scale, an adverse impact on the National Park and its statutory purposes is not identified. The application site is within an existing built up settlement and therefore any additional light spill from this proposal is not considered to harm the National Park's status as a Dark Skies Reserve.

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.

Impact on character and appearance of area

The proposed dwellinghouses would be set back from the established street scene along Anmore Road. Along this road there has been an established form of development to the rear as approved under planning reference 15/02566/FUL for the construction of 10 dwellings together with associated access, car parking, refuse and cycle storage following the demolition of Denmead Baptist Church. The allocation of housing within the Neighbourhood Plan to the rear of existing housing also supports this form of development in the area. Therefore, the placement of these dwellinghouses are not considered to appear out of keeping with the character of the area.

The surrounding area has a mixture of detached two/one storey properties, semi-detached dwellings and terrace properties. Although the proposal would have a higher density than the majority of the existing properties in the area, it is considered to provide adequate amenity space for the dwelling sizes proposed. Furthermore, it would have a lower density than the housing allocation site and the recently built development at Denmead Baptist Church. As such the layout of the proposed dwellings, being detached chalet styles with rooms in the roof are considered to follow the context of development within the surrounding area. Therefore, the proposal is considered to comply with Policy CP14 of LPP1.

The proposed dwellinghouses would have a chalet style design with rooms in the roof, low eaves and hipped dormers, having a lower eaves height and cat slide roofs to the rear of each proposed property. The proposed dwellinghouses would have limited public views due to the existing properties along Anmore Road. Furthermore, there are mature trees and hedges within the site and on the boundaries. As a result, the proposal site is not considered to be readily visible from the street scene and does not harm its character.

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The Council's Urban Design Officer commented on the application suggesting the need for greater variety across the units. However, the proposed dwellinghouses have been carefully designed in response to the site's constraints, responding to the surrounding dwellings. The proposal is also for 4 dwellinghouses within a small-scale site, not directly visible from the street scene. This means that an ordered pattern of design and materials which reflect the site's rural surroundings are considered more appropriate, otherwise there would be no consistency within this small development. Thus, the proposal's design is deemed to have a rural low-key appearance, which suitability fits within its setting and considered appropriate to the character of the area.

The proposed dwellings would have a brickwork finishes and pitched roofs with plain roof tiles. This is considered to match other surrounding properties within the immediate street scene, therefore being in keeping with the character of the area. A sample of materials condition (3) has been recommended to make sure high-quality materials are used in its construction.

Due to the siting, size and design of the proposal it will not have a harmful impact on the wider context of the area to the detriment of its character. The proposal therefore complies with policies CP13 of the LPP1 and DM2, DM15, DM16 of the LPP2.

Historic Environment

The works do not affect a statutory Listed building or structure including setting, Conservation Areas, Archaeology or Non-designated Heritage Assets including their setting.

Neighbouring Amenity

No. 65 Anmore Road is located to the west of the application site. The proposed dwellinghouses would be located within the rear garden space of this property. Whilst this would reduce the amenity space available for No.65 Anmore Road, there is still considered to be appropriate amenity space available for the occupiers. Furthermore, due to the placement and distance of the proposed dwellinghouses to No.65 Anmore Road it is not considered to appear overbearing, result in the harmful loss of light or cause harmful overlooking.

A new access road would be placed to the east of No.65. As the new access road would utilise the existing access for No.65 and would mostly be well offset from built form of No.65 it is not considered to have an adverse impact. The new access road would also be to the west side of No.67 with a visitor parking area to the side and rear of the property. As the new access road would utilise the existing access for No.65 and have a minimum separation distance of approximately 4.5 metres from the side wall of No.67, it is not considered to result in a harmful nuisance to warrant a reason for refusal.

To the north of the site is open fields with no residential properties.

Anmore Lodge is located to the east of plot 4 with a separation distance from the side wall of plot 4 and the rear of Anmore Lodge being approximately 75 metres. Trees and vegetation along this boundary would be retained therefore it is not considered to have an adverse impact.

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To the south of the site the proposed dwellinghouses would back onto the rear of four properties along Anmore Road (No.67, No.69, No.71 and No. 73 Anmore Road).

No.67 Anmore Road is located to the south of the application site. The property is a detached bungalow with no first-floor windows. Plot 1 will be adjacent to the rear of No.67 Anmore Road having a minimum back-to-back distance of approximately 15 metres between built form. The remaining plots on the application site would also be visible from the perspective of number 67.

No.69 Anmore Road is located to the south of the application site in the middle of the proposed plot 2 and plot 3. The property is a detached chalet style bungalow with a first-floor dormer to the rear facing out onto the application site. No.69 will be adjacent to the rear of plot 2 and plot 3, having a minimum back-to-back distance from plot 2 of approximately 14.7 metres and 15.2 metres from plot 3. The remaining plots on the application site would also be visible from the perspective of number 69.

No.71 Anmore Road is located to the south of the application site in line with plot 4. The property is a detached chalet style bungalow with a first-floor dormer to the rear facing out onto the application site. Plot 4 will be adjacent to the rear of No.71 having a minimum back-to-back distance of approximately 15.1 metres from built form however the remaining plots will also be visible from this perspective.

The proposal's impact on overlooking, overbearing and overshadowing on No.67, No.69 and No.71 will be considered below. The proposal's impact on No.73 will be assessed separately.

In terms of overlooking, there would be first-floor landing windows on all of the rear elevations of the proposed plots. These are conditioned to be obscure glazed and fixed shut, preventing any overlooking impact to the properties along Anmore Road. Condition 4 is used to ensure this is retained in perpetuity. There would be two rooflights on the rear elevations of each dwellinghouse serving a bathroom and a dressing room. Due to their placement in the roof, being above 1.7 metres finished floor level, they are not considered to cause directly harmful overlooking to warrant a reason for refusal. Condition 5 is used to ensure this is retained in perpetuity. Concerns were raised by neighbours that there would be overlooking from the ground floor levels of the proposed dwellings into the rear ground floor doors and windows of the existing properties. Due to the topography and proposed screening along the boundaries it is not considered to cause harmful overlooking to warrant a reason for refusal.

In terms of an overbearing impact, it is acknowledged the proposed dwellinghouses would be visually prominent to the occupiers of No.67, No.69 and No.71. It is important to note that the land topography between the application site and neighbouring properties is relatively flat. In addition, the scheme has been designed so that the rear walls nearest to neighbouring properties would be single storey and hipped away from the shared boundaries, presenting a cat slide roof which slopes away from the perspective of neighbouring properties. Trees and vegetation would be planted along the boundaries to provide a natural barrier between the proposed dwellings and the neighbouring sites. This includes the planting of a native hedge and fruit trees along the southern boundaries which is considered to reduce the visual presence of the proposed dwellinghouses. This would be

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provided in the form of a landscaping condition (15), with details on how the trees and vegetation would be retained and maintained.

Taken in combination, the design details of the scheme and the additional securities which can be provided through planning conditions results in the scheme not producing an adverse overbearing presence which justifies refusal of the application.

Due to the orientation of the proposed dwellinghouses, it is not considered to cause harmful overshadowing/loss of light to the occupiers of No.67, No.69 and No.71.

As a result, adverse harm on the residential amenity of the occupants of numbers 67, 69 and 71 is not found.

Whilst No.73 Anmore Road does not directly back onto plot 4, it is within close proximity therefore its impact will be considered below. Due to the position of plot 4 and its separation distance from No.73 it is not considered to appear overbearing or result in the harmful loss of light to the neighbouring occupiers at No.73. On the east side of plot 4 there would be a first-floor window serving a bedroom. This would introduce a form of outlook into the rear garden of No.73. However, due to its position in the proposed dwelling, being at a 90-degree angle to No.73 and the proposed screening along the boundary, it is not considered to cause direct overlooking into the private amenity space of No.73 to warrant a reason for refusal. It is also worth noting the first-floor window would have a separation distance from the rear wall of No.73 of approximately 19 metres. As a result, adverse harm on the residential amenity of No.73 is not found.

In terms of the overlooking from the existing properties to the proposed dwellinghouses, due to the proposed screening along the rear boundaries and the separation distances it is not considered to cause harmful overlooking to warrant a reason for refusal. In addition, a degree of mutual overlooking into neighbouring gardens is expected within a settlement. It is worth noting there would be no direct overlooking at first floor levels due to the designs of the plots having no habitable first floor windows to the rear. As such the overlooking onto the proposed dwellinghouses creates a relationship expected within a residential setting. Therefore, the proposal complies with Policy DM17 of LPP2.

In terms of providing adequate natural light to the future occupiers of the proposed plots, whilst they would be located to the south of the properties along Anmore Road where some shadowing would cover the rear rooms and garden, due to the large separation distances between the plots along Anmore Road it is considered that adequate sunlight would spill through into these spaces. Therefore, this is not considered to be a concern.

Whilst it is noted the garden sizes for the plots would be relatively small, they would have a depth of between 9-11 metres therefore on balance it is considered to provide an appropriate level of amenity space for the future occupiers of the dwellinghouses. This also reflects the existing garden spaces for properties along this section of Anmore Road.

In order to protect the amenities of the locality and to maintain a good quality environment, condition 19 has been recommended to remove the permitted developments right for the proposed dwellinghouses. This will prevent extensions, loft conversions, dormers and other works from being carried out under permitted development without an assessment being completed by the Local Planning Authority.

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Therefore, based on the above assessment the proposed dwellinghouses are not considered to have an unacceptable adverse impact by reason of overbearing, overlooking or overshadowing to the surrounding neighbouring properties. This has been supported further by the additional information provided by the applicant's agent on 25 and 26 of November showing the proposed views of the dwellinghouses, its topography levels and sections, supporting that the proposed dwellinghouses do not have an adverse impact on the residential amenity of the area. Therefore, the proposed development is considered to accord with Policy DM17 of LPP2.

Refuse Collections

The design of the site incorporates bin store areas for all units. A Vehicular Swept Path Analysis of the site access and onsite layout accommodating a refuse vehicle has been provided. The drawing displays vehicles entering, manoeuvring and exiting the vicinity of the development. Hampshire County Council as Highway Authority raise no objection on this matter. The proposal complies with Policy DM18 of LPP2 in this regard.

Sustainable Transport

Vehicle access will be taken off Anmore Road, using the existing access and dropped kerbs. A new access road would be created into the site to serve the proposed dwellings.

There would be car parking to the front and side of the proposed dwellings. There would be two car parking spaces provided for the 3No. bedroom properties and three car parking spaces for the 4No. bedroom properties. There would also be two visitor spaces creating a total of 12 car parking spaces. Whilst the visitor car parking would be placed close to the side boundary of No.67 Anmore Road it is not considered to result in an adverse impact neighbouring amenity to warrant a reason for refusal. As such the parking numbers comply with the Council's Parking Standards SPD.

Short stay cycle storage will be provided to the front of each unit accessed from the pavements. Long stay cycle storage would be provided in the rear gardens in the form of cycle stores. This would comply with the Council's Parking Standards SPD.

In accordance with Section 18 (1) (d) of the Order, Hampshire County Council has determined that it will discharge its consultee responsibilities as the LHA through the provision of Standing Advice for the residential development of 1 to 5 new dwellings, served by an access onto an unclassified road.

The local planning authority is satisfied that the application is in accordance with the Standing Advice, is not likely to result in a material increase or change in the volume or character of traffic entering or leaving a highway.

Hampshire County Council as Highway Authority commented on the application stating due to a limited increase in traffic movements, they are satisfied there are no existing accident clusters in the local area which may be exacerbated by the proposed development. In terms of access to the site, The Highway Authority are satisfied with the visibility splays provided. No concerns have also been raised regarding the traffic generation associated with the

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proposed development. It is considered that the volume of trips likely to be generated by the proposed development would not have a material impact on the operation of the road network or on road safety. In terms of access for service vehicles based on vehicular swept path analysis no objection was raised by Hampshire County Council as Highways Authority.

It is therefore concluded that there are no highway reasons to refuse the application, and it is also considered to comply with policy DM18 of LPP2.

Ecology and Biodiversity

As the proposal would require Biodiversity Net Gain (BNG), an Ecological Assessment was submitted. In order to provide BNG +10% the proposal would include a range of wildlife boxes for different species, new hedge and tree planting. The Council's Ecologist commented on the application raising no objection subject to conditions. Conditions 6 and 7 have therefore been included.

The conditions allow the Local Planning Authority to secure the long-term maintenance and retention of features used for BNG purposes.

The application site is within 50 metres of notable and protected species – Pipistrelle bat species roosts. Due to the measures outlined in the Ecological Assessment, it is not considered to have an adverse impact on the ecology of the area, and the recommendations and mitigation within the Ecological Assessment have been secured by condition 18. In order to protect the ecology and amenities of the area a condition to restrict external lighting has been recommended under condition 20.

Therefore, the proposal complies with Policy CP16 of LPP1.

Appropriate Assessment.

In regard to nutrient neutrality, the application will have a likely significant effect in the absence of avoidance and mitigation measures of European and Internationally protected sites as a positive nitrogen contribution of 4.40 Kg/N/year is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement in nitrate neutral development and the guidance on Nitrates from Natural England. The authority's appropriate assessment is that the application coupled with a mitigation package secured by a way of a Grampian condition complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

The application site is outside of the River Itchen catchment and phosphorus mitigation is not required.

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

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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).

Sustainable Drainage

The application site is located within Flood Zone 1 and is therefore at low risk from fluvial flooding.

Policy 2iv requests a drainage strategy but does not define the format of the strategy. The drainage strategy for this site is shown within the submitted application form which highlights that a Sustainable urban Drainage system will be used. Consultation has been undertaken with the Council's Drainage Officer, Southern Water and Portsmouth Water to assess this approach in principle.

The Drainage Engineer response concludes that the selection of a sustainable drainage system to dispose of the surface water from this development is positive, however it is necessary to confirm this by conducting on-site trail pit testing for infiltration using the method described in BRE Digest 365. Since the location is in the Source Protection Zone, runoff from the parking areas and driveways need to be disposed of using a suitable treatment system. Only roof water may be disposed of untreated if soakaways are utilised for surface water drainage. Condition 23 is used to secure details of this once the associated infiltration testing has taken place. If this is not an appropriate method, alternatives can be proposed by the condition and the council's drainage specialists will be consulted when the information is submitted to ensure the most suitable system is used.

In respect to foul drainage the applicant has indicated connecting to the main sewer, which is a realistic and sustainable option because the site is served by Southern Water's foul mains. Southern Water was consulted on this application raising no objection, subject to formal connection and an informative which has been included.

The Council's Drainage Officer as such raises no objection subject to a standard pre-commencement drainage for foul and surface water be provided to ensure the provision of an adequate and sustainable drainage system. This has been covered within condition 14.

Portsmouth Water commented on the application raising no objection in principle to the proposed development subject to a prior commencement condition to reduce the risk of groundwater pollution and prevent the increased risk of flooding both on and off site. This has been included as condition 23.

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 northern and eastern boundaries of the site are defined by belts of mature trees, many of which are covered by Tree Protection Orders (TPO). The Council's Tree Officer
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commented on the application raising no objection subject to conditions relating to tree protection measures and tree planting. Reports have been submitted which have assessed the construction impact on surrounding trees and recommend acceptable mitigation measures. Conditions 8 to 13 have therefore been included to secure the tree protection measures during construction.

In terms of future pressures, the trees are located to the north of the proposed units and would therefore not result in shading of the properties or their key amenity in the garden area. Parking areas have also been positioned as far as possible away from the trees, reducing leaf litter on parked vehicles to an acceptable degree. The site has also been allocated for residential development, taking account of the trees surrounding the site. As a result, there is not considered to be concern regarding the future pressure to prune or fell the TPO trees.

The proposal is therefore considered to comply with policy DM24 of the LPP2.

Landscape

The application site is within the settlement boundary of Denmead. The character of the area as devised from the Landscape Character Assessment is Forest of Bere Lowlands (Mixed Farmland and Woodland type). The area was identified as low landscape sensitivity in the SHELAA study conducted in 2020.

The Council's Landscape Officer commented on the application raising some concern with the Landscape Plan provided in terms of suggesting that it secures biodiversity net gain without regard to practicalities. It is worth noting since these comments an updated Ecological Assessment has been provided and the Council's Ecologist commented on the application stating they are satisfied the additional 10% BNG can be achieved. The Council's Landscape Officer also raised concern with regards to the maintenance of public areas. Appropriate conditions which would enforce the BNG compliance and process as well as a detailed landscape scheme to be provided have been recommended. This is considered to overcome these concerns, and the final details of species and future long-term management will be assessed and agreed as part of the condition process.

Due to the proposal being located within an allocation site and due to the use of a condition for a detailed scheme for landscaping it is not considered to result in a harmful impact on the surrounding landscape. Therefore, the proposal complies with Policy CP13 of LPP1 and Policies DM15, DM16, DM17 of LPP2.

Equality

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

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Planning Balance and Conclusion

In conclusion, the proposal has been assessed in consideration of the following planning policies: DS1, MTRA3, MTRA4, CP1, CP2, CP10, CP13, CP14, CP15, CP16 and CP21 of LPP1 and DM1, DM2, DM15, DM16, DM17, DM18, DM19, DM20 and DM24 of LPP2 and High Quality Places SPD.

The proposal accords with the NPPF and Development Plan policies of the Local Plan Part 1 and 2 and does not raise any material matters of sufficient weight to outweigh it or that would weigh against the granting of planning permission.

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 permitted shall be constructed in accordance with the following plans:

The development hereby permitted shall be constructed in accordance with the following plans:

- Location Plan - 10
- Proposed Block Plan - 11 REV B
- Proposed Overall Site Plan - 12 REV A
- Proposed Site Plan Part 1 - 13 REV A
- Proposed Site Plan Part 2 - 14 REV A
- Plot 1 Floor Plans, Roof Plan and Elevations - 15 REV B
- Plot 2 Floor Plans, Roof Plan and Elevations - 16 REV B
- Plot 3 Floor Plans, Roof Plan and Elevations - 17 REV B
- Plot 4 Floor Plans, Roof Plan and Elevations - 18 REV B
- Proposed Street Scene Plan - 19 REV D
- Proposed Contextual Plan - 20 REV A
- Proposed Landscape Strategy Plan - 22
- Proposed Views from Neighbouring Properties - 23 REV A
- Master Site Plan - 24
- Proposed Section and Levels Site Plan – 25 REV A
- Proposed Site Section - 26
- Ecological Assessment - V5 Peachecology
- Arboricultural Implications Assessment and Method Statement - ecourban
- Arboricultural - June 2024
- Transport Assessment - Nick Culhane

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Design and Access Statement - Vivid
Biodiversity Metric Calculation Tool
Biodiversity Gain Plan Baseline
Biodiversity Gain Plan Proposal

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 dwellinghouses 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 first-floor windows in the south elevations serving the landings of the proposed dwellinghouses 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.

5. The first floor rooflights in the south elevation serving the bathroom and dressing room of the proposed dwellinghouses hereby permitted shall be placed above 1.7 metres finished floor level, unless otherwise agreed in writing by the local planning authority and thereafter be retained in this condition at all times.

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

6. 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.

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

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the Town and Country Planning Act 1990 and paragraph 186 of the National Planning Policy Framework (2023)

7. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) has been submitted to and approved in writing by the local planning authority. This shall be prepared in accordance with the approved Biodiversity Gain Plan. The HMMP shall include the following details:

- (a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (b) 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;
- (c) 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;

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 Local Planning Authority 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)

8. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref – 231590 – AIA2 written by Barrie Draper of ecurban Arboricultural and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

9. The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Implications Assessment and Method Statement Ref – 231590 – AIA2 and Tree Protection Plan Ref – EC03 – Tree Protection for 65 Anmore Road, Denmead

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

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10. Prior to the commencement of construction of special surfaces under tree canopies so that a pre commencement site visit can be carried out with the Council's Arboricultural Officer.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

11. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement Ref – 231590 – AIA2

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

12. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement Ref – 231590 – AIA2 shall be agreed in writing to the Local Planning Authority.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

13. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

14. Prior to the commencement of development hereby approved, details of surface and foul water drainage works shall be submitted to and approved in writing by the Local Planning Authority (LPA). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface and foul water by means of a sustainable drainage system and the results of the assessment provided to the LPA. Where a sustainable drainage scheme is to be provided the submitted details shall:

- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- b. provide a management and maintenance plan for the lifetime of the development to secure the operation of the scheme throughout its lifetime.

Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan

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

- 15 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences above slab level, devised by an appropriately trained consultant. The scheme shall specify species, density, planting, size and layout.

The scheme approved shall be carried out in the first planting season following the first 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.

- 16 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.

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

- 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.

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- 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 for the duration of 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.

- 18 Development shall proceed in accordance with the measures set out Ecological Assessment - V5 by Peachecology submitted with the planning application.

Reason: to enhance the ecological value of the site and increase its contribution to the local environment.

- 19 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 Class A, AA, B, C, D, E, F, G of Part 1; of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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 and to comply with the provisions of Policy DM3 - Small Dwellings in the Countryside of the Local Plan Part 2.

- 20 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specification, luminosity, operation and layout of lighting.

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

- 21 Prior to occupation of the dwellinghouses the area shown on the approved site plan for the parking and turning of vehicles (Overall Site Plan - 12 REV A) shall be provided and reserved for these purposes at all times.

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

- 22 No development shall take place until full details of the finished levels, above ordnance datum, of the ground floors of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the local planning

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authority. The development shall be carried out in accordance with the approved levels.

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

- 23 No development shall take place until a surface water drainage scheme based on sustainable drainage principles and a comprehensive assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water. The scheme shall subsequently be implemented in accordance with the approved details before any building within that phase is occupied. Details of how the scheme shall be maintained and managed after completion shall also be included.

Reason - To reduce the risk of groundwater pollution and prevent the increased risk of flooding, both on and off site.

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

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2021 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy

- 25 Prior to the occupation of each of the dwelling units hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that the dwellings 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 implemented in accordance with these findings.

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

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Informatives:

1. In accordance with paragraph 38 of the NPPF (2023), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC: - offer a pre-application advice service and, - update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

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

2. The Local Planning Authority has taken account of the following development plan policies and proposals:- Local Plan Part 1 Joint Core Strategy: DS1, MTRA3, MTRA4, CP1, CP2, CP10 CP13, CP14, CP15, CP16, CP21 Local Plan Part 2: DM1, DM2, DM15, DM16, DM17, DM18, DM19, DM20, DM24
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. Where construction site working hours are limited by a planning condition you can apply under Section 74B of the Town and Country Planning Act 1990 which provides a temporary fast track to vary existing conditions. <https://www.winchester.gov.uk/environment/pollution/construction-sites>
5. During construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.
6. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible. For further advice, please refer to the Construction Code of Considerate Practice <https://www.considerateconstructors.com/resources/the-code-of-considerate-practice/>

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7. Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information <https://www.winchester.gov.uk/building-control>
8. The applicant should refrain from any construction activity or material storage within the root protection area of the tree located forward of the property within the grass verge. Please reference <https://www.winchester.gov.uk/planning/trees> for further advice.
9. HIGHWAY LICENCE: The applicant is advised that the formation of the new vehicle crossing (dropped kerb) will require the consent of the Highway Authority, Hampshire County Council. Licence applications can be made via Hampshire County Council's website: www.hants.gov.uk/transport/licencesandpermits/roadopening
10. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence."
11. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

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Appendix A - Denmead Parish Council Response

Denmead Parish Council raises a STRONG OBJECTION by a majority (1 abstention, 1 against) with a request that the application is put before the Winchester City Council Planning Committee on the following grounds if the Planning Officer is minded to approve the application:

- Overlooking / loss of privacy is a Material Planning Consideration. This proposal is contrary to Winchester City Council Local Plan Part 2 Policies DM16 and DM17 as the proposal would have an unacceptable adverse impact on nearby properties by reason of overlooking, overshadowing and being overbearing. The application would affect the amenity and privacy of established properties.

- There does not appear to be any explanation of where additional drainage (i.e. suds) is to be located on the site.

- The Parish Council is disappointed to note once more the absence of any consultation between developer and residents