

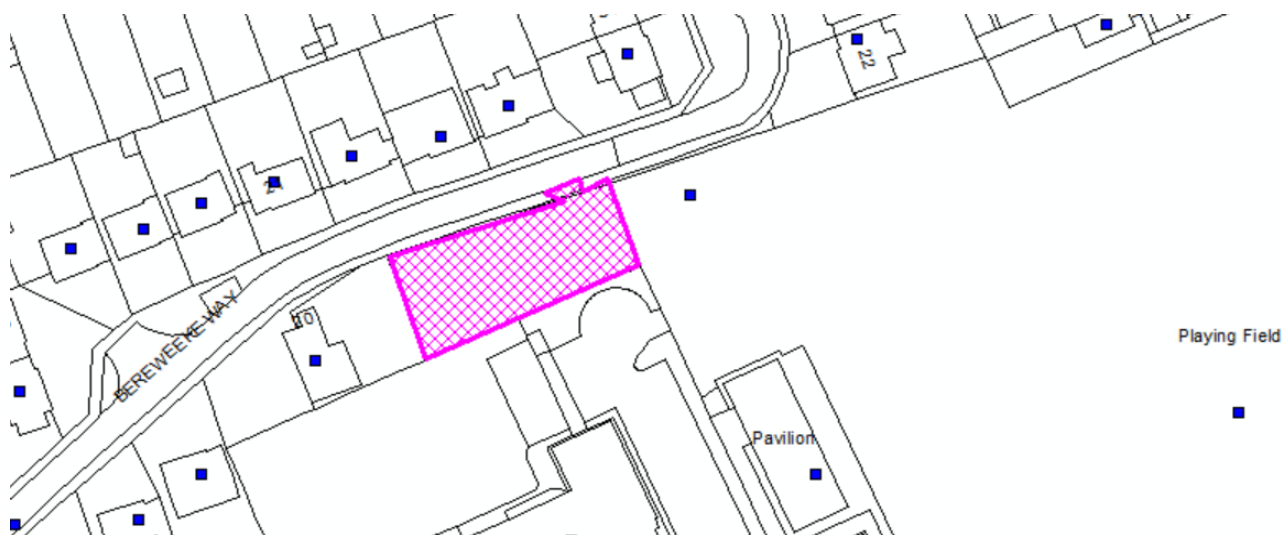
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/00444/FUL
Proposal Description: Erection of a two storey dwelling with associated parking, and landscaping on surplus land at Peter Symonds College, off Bereweke Way, Winchester.
Address: Land South Of Bereweke Way, Winchester, Hampshire
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: N/A
Case Officer: Liz Young
Date Valid: 9 April 2024
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

24/00444/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 because it lies within the built up area of Winchester where the general principle of new residential development is supported and also supports the NPPF objectives of boosting housing supply and promoting sustainable development and efficient use of land. The development design fully addresses the reasons which led to the predecessor application (reference 21/00726/FUL) being dismissed on appeal. The proposal would not result in the loss of formally designated open space and would not have an unacceptably harmful impact upon the character of the area or the amenities of neighbouring residents. It has also been demonstrated that the proposed development would not give rise to significant adverse impacts upon trees or biodiversity.

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General Comments

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

By way of background, this planning application follows a previous application for 3 dwellings which was refused and subsequently dismissed on appeal. This previous application proposed a larger development area, extending east into the playing fields and encroaching into the formally designated protected open area). This previous scheme would have resulted in the loss of approximately 1100m² of designed open space. The current proposal (for one dwelling) now falls wholly outside this designation. The ball stop netting which was proposed as part of the earlier scheme (and was not considered to be an appropriate form of development) is not proposed in the current application.

The main issues which led to the appeal proposal being dismissed are summarised as follows:

- Loss of protected open space without clear justification contrary to policy CP7 of LPP1 and policy DM5 of LPP2, as well as the corresponding policies of the NPPF
- The proposed ball stop netting would result in harm to the character and appearance of the site and surrounding area and would be contrary to policies DM15, DM16 and DM17 of LPP2.

Amendments to Plans Negotiated

An amended site plan was submitted by the Applicant (7 May 2024) to clarify the location of the proposed air source heat pump. These plans were not formally publicised due to the minor nature of the change and also the fact that all other aspects of the scheme remained unaltered. However, the views of the Environmental Protection Officer were sought in relation to the siting and specification of the heat pump (summary of comments below).

Site Description

The Application Site (approximately 870 square metres in size) is located at the northern western corner of the existing Peter Symonds College playing fields. It comprises a rectangular section of land which is separated from Bereweek Way (to the north) by a mature screen of landscaping and trees. Bereweek Way itself is an adopted but unclassified highway. A day nursery adjoins the south boundary of the site. The western boundary is adjoined by a detached dwelling (Number 20 Bereweek Way). The main sports ground which extends east from the site is designated on the Policies Map to the Winchester District Local Plan Part 2 – Development Management and Site Allocations (April 2017) (LPP2) as a 'Protected Open Areas' to which policy DM5 applies. There is currently no vehicular access to the site from the adjacent highway. Whilst the site is linked to the existing playing fields (sports ground), it is not formally designated for any purpose other than being located within the defined built up area of Winchester.

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Consent is sought to build a detached, two storey dwelling on the site and to form a new vehicular access off Bereweeke Way to the north. A new parking and turning area would be formed within the site. The proposed dwelling would have an external footprint of just over 130 square metres and would comprise four bedrooms. External facing materials have not been specified, although the proposed design would largely replicate the character and form of dwellings off Bereweeke Way (likely to have been built during the 1990s). Ridge height would measure approximately 8 metres.

Relevant Planning History

Erection of three two storey houses with associated parking, and landscaping on surplus land at Peter Symonds College, off Bereweeke Way, Winchester (21/00726/FUL) refused 18.03.2022 Appeal against refusal dismissed 05.05.2023

Erection of an artificial cricket pitch and practice net (13/01134/FUL) permitted August 2013

Consultations

Service Lead – Engineering (Drainage) – No objections subject to conditions (Condition 5):

- Agree with the submitted drainage report recommendations regarding foul drainage
- Significant infiltration potential on site
- If permission is granted, a typical condition for surface water drainage needs to be imposed to secure an appropriate and sustainable drainage system

Service Lead – Sustainability and Natural Environment (Trees) – No objections subject to conditions ensuring protection / retention of trees (Conditions 16 – 20)

Service Lead – Sustainability and Natural Environment (Ecology) – No objections subject to the approval and implementation of a Biodiversity Compensation and Enhancement Strategy (Condition 7)

WCC Urban Design Officer - No significant concerns with regards to the proposed Bulk, scale and mass of the proposed dwelling but suggest that the application could be supported by a more detailed contextual analysis and that the sustainability of the development could be enhanced through improved design

Hampshire County Council (Highway Authority) – No objections subject to conditions (Condition 12):

- As the proposed dwellings are situated near the end of a cul-de-sac and consist of 5 dwellings, the access is acceptable subject to a dropped kerb being implemented
- Satisfied that adequate visibility can be achieved from the access
- The proposed level of parking to be provided does not raise concerns regarding an overspill of parking on the local highway
- A construction management statement should be submitted and approved prior to development

Natural England – No comments received

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Southern Water – Advise that a formal application for a connection to the public foul sewer should be made by the developer

Sport England – No comments received

Representations:

Winchester Town Council – No comments received

City of Winchester Trust – Objection raised:

- Aside from the changes made since the scheme previously dismissed on appeal, many of the other comments made by the Inspector in his report remain relevant to this smaller site
- The proposal would still involve the loss of some open space contrary to the broad aims and objectives of policy CP13 of LPP1 and policies DM15,16 and 17 of LPP2
- no assessment or evidence that clearly shows that this land is surplus to requirements.
- No explanation as to why the 2013 permission for the installation of cricket nets did not go ahead
- The college will continue to grow and recreational needs will continue
- No explanation as to why a house with a ground source heat pump is also going to be equipped with a chimney

19 Objecting Representations received from different addresses within the WCC administrative area citing the following material planning reasons:

- Loss of privacy
- Overbearing impacts upon neighbouring properties
- Loss of recreational / open space / natural greenspace
- The land on which the new dwelling is proposed has previously had consent for cricket nets which was not implemented but could be resurrected in the future for the benefit of the local community and the growing number of college students
- Open areas not subject to Policy DM5 are nevertheless recognised as being important (LPP2)
- The reasons for rejecting Application 21/00725/FUL (including Plot 1) are equally applicable to the one detached property in 24/00444/FUL.
- Loss of on street parking – which is in significant demand
- The site layout should be amended to enable trees to be retained
- Insufficient space to accommodate the development
- Imposing design and harmful impact upon street scene
- Permitting the development would lead to further development in future
- The proposal does not respond positively to the character and appearance and variety of the local environment
- The proposed development is on the narrowest section of Bereweek Way.
- Significant loss of green hedging and trees
- Harmful impacts on biodiversity

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No supporting representations received

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2024)

Chapter 2 – Achieving Sustainable Development
Chapter 5 - Delivering a Sufficient Supply of Homes
Chapter 8 – Promoting Healthy and Safe communities
Chapter 9 – Promoting Sustainable Transport
Chapter 12 – Achieving Well Designed and Places
Chapter 15 – Conserving and Enhancing the Natural Environment

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

Policy DS1 – Development Strategy and Principles
Policy WT1 - Development Strategy for Winchester Town
Policy CP1 - Housing Provision
Policy CP2 - Housing Provision and Mix
Policy CP7 - Open Space, Sport and Recreation
Policy CP11 - Sustainable Low and Zero Carbon Built Development
Policy CP13 – High Quality Design
Policy CP15 – Green Infrastructure
Policy CP16 – Biodiversity

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

Policy WIN1 – Winchester Town
Policy DM1 – Location of New Development
Policy DM2 – Dwelling Sizes
Policy DM5 – Protecting open space
Policy DM16 – Site Design Criteria
Policy DM17 – Site Development Principles
Policy DM18 – Access and Parking
Policy DM24 – Special Trees, Important Hedgerows and Ancient Woodland

Supplementary Planning Documents

National Design Guide 2019
High Quality Places 2015
Air Quality Supplementary Planning Document 2021
Residential Parking Standards 2009
St Barnabas Neighbourhood Design Statement 2007

Emerging Planning Policy

The Regulation 19 Local Plan has been agreed by Full Council and the examination has now concluded. Therefore, the emerging policies can be given appropriate and increasing weight in the assessment of development proposals in advance of Adoption.

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Planning Considerations

Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Policy DS1 of the LPP1 is consistent with the NPPF which states in paragraph 11 that decisions should apply a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up to date development plan without delay.

The application site falls within the built up area of Winchester. LPP1 Policy WT1 states that the spatial planning vision for Winchester Town will be achieved in part through the development and redevelopment of existing sites and other opportunities within and adjoining the defined built-up area of Winchester. Furthermore, LPP1 Policy CP1 states that provision will be made within the District for the provision of about 12,500 dwellings (net) in the period April 2011 to March 2031 including 4000 dwellings within Winchester Town. The proposal is within a defined settlement boundary where the principle of additional residential units is acceptable in principle.

With regards to the nature of dwellings to be provided LPP1 Policy CP2 anticipates that the majority of homes should be in the form of 2 and 3 bed houses (particularly in the case of larger sites), 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. In this case the proposal would comprise a single four bedroom dwelling. However, given the fact that only one unit is proposed and the development does not relate to a larger site, it is considered that the proposal would not result in an inappropriate mix of housing provision.

Overall, it is concluded that the principle of development is established by LPP1 Policy WT1 and LPP2 Policy DM1.

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

LPP2 Policy DM16 seeks to ensure all new development responds positively to the character, appearance and variety of the local environment, within and surrounding the site, in terms of its design, scale and layout. With regards to Winchester Town in particular, LPP1 Policy WT1 seeks to ensure the retention of existing and provision of new green infrastructure to ensure that the town retains its well-treed character, attractive green setting, its well-defined urban edge, and access to open space. It also seeks to ensure all new development is of the highest design quality in terms of architecture and landscape, and that proposals fully consider and respect the context and surroundings, reflect local distinctiveness, preserve historical and cultural heritage, and make a positive contribution to the quality of the area. LPP2 Policy WIN1 largely reflects these requirements and states that proposals should protect and enhance the special character of Winchester Town, including its setting, heritage assets and treed skylines.

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As identified at the time of the predecessor application, the Application Site forms a part of an existing sports ground. The previous appeal decision made reference to the amenity value of the site and the contribution it makes to the appearance and local distinctiveness of this densely built-up part of Winchester. It was also acknowledged that the Open Space Strategy states that the ward in which the Application Site is located is deficient both in terms of open space and recreation space/sports grounds when assessed against the standards in the Development Plan. It is recognised that the updated Open Space Strategy (2022) continues to identify a deficit in recreation / sports ground provision. However, the development as now proposed would not encroach into the area of designated open space as it would now be limited to the smaller area of land which lies immediately north of the day nursery. It would therefore ensure the retention of designated open space as required by LPP1 Policy WT1. The Applicant states that the application site does not form part of the sports pitch and is surplus to the college's requirements.

It should also be recognised that the Open Space Strategy which maps and quantifies important open areas and open green areas with significant visual amenity value in and around the district (with a view to providing protection for these sites) continues to exclude the application site as an identified important open area.

It is recognised that third parties raise concerns that open areas not subject to Policy DM5 are nevertheless recognised as being important (LPP2) and that the proposal would result in the introduction of new built development onto a largely open site, altering its character from greenspace connected to a wider sports field to a private dwelling with associated built development, hardsurfacing and enclosure. However, given the scale of the development, the enclosed nature of the site (which is not publicly accessible), its limited recreational function (as identified above) and its biodiversity value (mown modified grassland) it is considered that the proposal would not harmfully impact upon the recognised open space functions as identified within the supporting text to LPP2 Policy DM5 (having regard to recreational, biodiversity, heritage or amenity value). The development has also been designed so as to retain the majority of existing boundary features which enclose the site on three sides.

The overall impact of the development would be mitigated by the more contained character and reduced size of the site in comparison with the previously refused scheme. As such the site has a greater degree of containment than the more open land which lies to the east. These factors would ensure the proposal would be visually well related to built development to the north. As such it is considered that the introduction of a new dwelling onto the site would not result in an unacceptably harmful impact upon the character of the area, having particular regard to the open character of the playfields and the street scene along Berweeke Way.

With regards to the design, scale and layout of the proposal, the dwelling footprint, plot size and configuration would be reflective of other dwellings along Berweeke Way. It would be orientated end on to the highway boundary and set slightly back from this boundary. This would (alongside the retention of boundary screening and the set back on parking from the frontage) ensure it would not appear overly prominent or incongruous in the street scene. The existing dwellings along Berweeke Way are of a fairly uniform design and the proposed dwelling would be reflective of these characteristics.

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A further concern raised at the time of the previous appeal was that the proposal to include ballstop netting (potentially up to 9 metres in height) would have a harmful impact upon the character of the area. The agent has now confirmed that this aspect of the previous scheme is not to be included as part of the current application.

Having regard to the above considerations, along with the reduced number of dwellings proposed and the fact that the proposal would not encroach into the main open area of the playing field, it is concluded that the design, scale and layout adequately addresses the concerns which led to the previous scheme being dismissed on appeal.

Overall it is concluded that the layout and design of the development would minimise visual intrusion, preserve local distinctiveness, retain green infrastructure and open space and respond positively to the character, appearance and variety of the local environment, within and surrounding the site as required by LPP1 Policy WT1 and LPP2 Policies WIN1, DM15 and DM16.

Development affecting the South Downs National Park

The application site is located 0.6 miles from the South Downs National Park

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

Due to the distance and intervening features (mainly built up residential development), 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

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

Neighbouring amenity

The application site is adjoined by one other residential property, 20 Berewecke Way, which lies immediately to the west. There would be a distance of approximately 18 metres between the rear elevation of the proposed dwelling and the boundary with the neighbour. Having regard to this, and the established vegetation on this boundary, it is concluded that the potential for any additional overlooking, visual intrusion or loss of light towards the closest neighbour would be limited and that a refusal on such grounds would not be sustainable. Dwellings to the north of the site lie approximately 15 metres from the proposal, with Berewecke Way and various intervening features between. Having regard to this and the fact that the private rear gardens of these neighbouring properties would remain unaffected by the proposal no adverse impacts are anticipated.

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Whilst the adjacent children's nursery (which is likely to generate noise throughout the day) lies immediately to the rear of the site, no concerns were raised at the time of the previous application in relation to potential noise impacts from this existing use on future occupants. Furthermore, there are already a number of residential properties which lie within a comparable distance of this established use.

As identified above, the ballstop netting which formed part of the previous scheme (and was stated to give rise to harmful visual intrusion) is no longer proposed.

It is acknowledged that air source heat pumps have the potential to give rise to additional noise impacts. To enable these impacts to be assessed, the Applicant has provided details of the siting and specification of the proposed heat pump along with an Acoustic Assessment Report. This has been reviewed by the Environmental Protection Officer, who has confirmed that they are satisfied that the information provided shows that the proposed heat pump would not give rise to harmful noise impacts subject to the recommendations within the noise report being adhered to (Condition 15).

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

Sustainable Transport

The proposal would involve the formation of a new access onto Bereweek Way (an unclassified highway). Because of the number of dwellings proposed, the Standing Advice from the Highways Authority would be a relevant consideration.

The advice states that the internal layout of the development should link pedestrian/cycle access to the existing pedestrian and cycle facilities across the immediate frontage of the site. It states that this can be along a shared driveway or frontage or through a path within the development. In this instance a shared access is proposed for both pedestrians and vehicles. This is considered acceptable given that only one dwelling unit is proposed, which is in turn likely to give rise to a very low level of vehicle movements.

The advice also states that if gates are to be fitted across the vehicle access then these must open away from the highway (inwards). To ensure that there is sufficient space for a vehicle to exit the highway gates must be set back 6m from the edge of the carriageway. In this instance the applicant has confirmed that no gates are proposed on this access. Notwithstanding this, it is recommended that a condition should be imposed ensuring any gates introduced in the future would meet the above requirements (Condition 13).

Because the proposed development involves the formation and laying of a means of access to an adopted highway, the views of the Highways Authority have been sought. The Highways Authority have advised that the access proposed is acceptable in highway terms, subject to a drop kerbed being implemented. They also advised that the proposed access would achieve an acceptable standard of visibility. Notwithstanding this they advise that to mitigate harmful impacts on the highway during construction, a construction management plan would be required. It is considered that this could reasonably be secured through an appropriately worded planning condition (Condition 12).

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With regards to parking provision, the proposed plans indicate that three parking spaces are proposed. This would meet the relevant standards contained within the relevant WCC Supplementary Planning Document.

Paragraph 116 of the NPPF recognises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

Ecology and Biodiversity

The application site (which mainly comprises modified grassland) does not lie within or adjacent to any statutory nature conservation site. With regards to onsite ecology interests, the preliminary ecological assessment (PEA) which accompanies the application identifies that the most ecologically valuable habitat on site includes the boundary habitats and patch of bramble scrub. It advises that these habitats should be retained, protected and enhanced where possible. The site is considered suitable for foraging and commuting bats. A sensitive lighting scheme is therefore recommended to minimise disturbance to roosting and foraging bats during the development period. Precautionary working methods in relation to reptiles and birds are also recommended. However, the PEA does not identify the need to undertake any further ecological survey work.

As required by LPP1 policies CP15 and CP16 the PEA also recommends various enhancements to on site biodiversity interests. This includes enhancements to hedgerows, log piles, tree mounted bat boxes and bird boxes.

Subject to the recommendations set out within the PEA being secured and implemented through appropriately worded planning conditions it is concluded that the proposed development would avoid harmful impacts upon biodiversity and secure a net gain in on site biodiversity interests as required by LPP1 Policies CP15 and CP16.

It is recognised that biodiversity net gain is now required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This seeks to ensure development proposals deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

In this instance it has been established that the proposed development is exempt from this requirement as the development is not 'major development' and the application for planning permission was made before 2 April 2024.

Appropriate Assessment.

The application (which will result in an increase in overnight accommodation) will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution of 0.2 kg/year of Phosphorus

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is made. The total nitrogen budget for the development would be 4.74 kg/year (Pre-2030) and 2.48 kg/year (Post-2030).

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 nutrient neutral development and the guidance on Nitrogen and Phosphorus from Natural England.

The application has been accompanied by a European Sites Checklist which confirms that the applicant is happy to accept a Grampian condition in the event that planning consent is granted in order to secure an appropriate level of mitigation. Furthermore, the necessary amount of nutrient credits have been legally secured with the WCC New Homes Team.

Having regard to this, the authority's appropriate assessment is that the application coupled with the mitigation package secured by way of a Grampian condition (Condition 8) complies with the strategy and would result in nitrogen / phosphorus 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

Paragraph 161 of the NPPF states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It also states that proposals should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience. It required proposals to encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

LPP1 Policy CP11 reflects these requirements and states that developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable and should apply the energy hierarchy through maximising energy efficiency and designing out the need for energy use in the first instance.

LPP2 Policy DM16 also states that proposals should utilise the principles of energy efficient design, by means of layout, orientation, passive solar gain, and the design of buildings and spaces, as far as is compatible with the character of the area.

The climate change statement which accompanies the application indicates that the proposed dwelling design would incorporate various features designed to minimise the contribution of the development towards climate change impacts. These include:

- Orientation and the size of the windows optimised to maximise the amount of natural daylight and therefore reduce the demand for artificial lighting

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- U-values of the building envelope will meet Building Regulations Part L (2021) standards and further improvements to U-values will reduce the house's heating requirements
- Ground floors constructed using a precast concrete beam and block suspended system insulated with 150mm thick PIR insulation (thermal conductivity 0.022 W/mk) or similar
- Windows as double glazed with Low 'e' soft coat and argon filled
- Ventilation to the bathrooms will be comprised of continuous extract ventilation as per System 3 criteria
- Roof mounted photovoltaic panels (these are included on the proposed elevations)
- Air source heat pumps

Having regard to the various measures proposed (which are to be secured through Conditions 9 and 10), it is concluded that as required by LPP1 Policy CP11 the proposed development would be designed to maximise energy efficiency and design out the need for energy use by means of the scheme layout and the orientation and design of individual buildings, making full use of passive heating and cooling systems as far as is practical.

Air Quality

The application site lies within the Winchester Air Quality Management Area. The AQMA was declared in 2003 for exceeding the annual mean nitrogen dioxide (NO₂) and 24-hour mean PM₁₀ concentrations, though the declaration for 24-hour mean PM₁₀ was later revoked in 2013.

In accordance with the Air Quality SPD, the application has been accompanied by an Air Quality Statement. Whilst the concerns raised by the City of Winchester Trust are acknowledged (and the submitted plans indicate a chimney), the statement confirms that no solid fuel (wood or coal) domestic heating appliances or open fireplaces are to be provided at the dwelling. Further clarification has been sought in relation to this issue and the agent has advised that the chimney is for design purposes only and to reflect the style of the existing dwellings (which have expressed chimneys on the gables).

The Applicant has also confirmed an intention to install an electric vehicle charging point (detailed to be secured through Condition 10). There would be adequate space within the integral garage for secure bicycle parking.

Overall, it is concluded that subject to appropriate conditions being imposed, the proposed development would mitigate any potentially harmful impacts upon air quality, minimise impacts upon sensitive receptors and contribute towards the aim of improving air quality. The proposal is therefore considered to be in accordance with the WCC Air Quality SPD.

Sustainable Drainage

With regards to surface water drainage, the application site does not fall within a designated flood zone. Whilst the proposal will result in additional hardsurfacing and built form across the site the application has been accompanied by a Flood Risk and Drainage Appraisal which confirms satisfactory ground conditions and has been reviewed by the WCC Drainage Engineer. The submitted details relating to both foul and surface water drainage have been confirmed as acceptable.

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Subject to conditions securing the implementation of an appropriate and sustainable drainage system the proposal would not give rise to unacceptably adverse drainage impacts.

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

Trees

NPPF paragraph 136 recognises that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. It promotes opportunities to incorporate trees within development and to ensure that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

Paragraph 5.18 of the High Quality Places SPD states that Trees are a hugely significant part of the character of the district, both in landscape and townscape terms. Therefore, the first principle is that trees which make a positive contribution should be retained wherever possible.

A number of trees lie on the boundary of the site and an arboricultural impact assessment (along with a tree protection plan) has been submitted to enable the impact upon these trees to be assessed. The supporting information has been reviewed by the WCC Tree Officer.

The proposed scheme requires the removal of a small number of relatively insignificant (C and U category) trees and shrubs, which will not significantly impact the local or wider landscape.

The proposed new structures are situated outside of the assessed Root Protect Areas (RPAs) of all of the trees proposed for retention, therefore these trees pose no below ground constraints on the new structures. Therefore, subject to appropriate tree protection measures being installed during construction and any new services being routed to avoid all RPAs, the proposal would not result in any direct impacts upon retained trees. The retained trees are at a satisfactory distance from the proposed development and highly unlikely to give rise to any inconvenience. Therefore, the proposal would not lead to additional pressure for tree management in the longer term. The WCC Tree Officer raises no specific concerns in relation to the impacts of the development subject to appropriate conditions being imposed and it is therefore concluded that the proposal would meet the objectives of LPP2 Policies DM15 and DM24 in relation to conserving trees, hedgerows which contribute to local distinctiveness (along with the space required to support them in the long term).

Equality

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

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Planning Balance and Conclusion

The proposal is in accordance with the Development Strategy contained within the Winchester Local Plan Part 1 which seeks to direct new residential development towards the built up area of Winchester.

It is acknowledged that the LPP2 references the wider benefits of open space including character and local distinctiveness, biodiversity, flood management and recreation (amongst others) and that concerns have been raised that a proposal which results in the loss of designated open space would be contrary to these objectives. However, it is considered that the modest scale of the proposal (which lies wholly outside the open space designation), the development design and the various ecological / landscape enhancements would ensure the proposal would not result in the loss or the reduction of any important open areas, either individually or cumulatively and would also secure wider benefits in the long term which accord with the policy objectives referred to above.

The absence of unacceptably harmful impacts upon the living conditions of neighbouring residents, highway safety or the local environment, along with the contribution the proposed development would make towards the objectives of the NPPF in relation to boosting housing supply also weigh in favour of the development.

It is therefore recommended that planning permission should be granted.

Recommendation

Approve subject to the following conditions:

Conditions

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

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

2. The development hereby approved shall be constructed in accordance with the following plans and documents received: -

Plans:

The Location Plan – Drawing Reference LP.02 REV P1

Coloured Site Layout – Drawing Reference CSL.02 P2

Site Layout – Drawing Reference SL.02 P2

Coloured Street Elevations – Drawing Reference CSE.02 REV P1

Plot 1 Elevations – Drawing Reference P.1.E REV A

Plot 1 Floorplans – Drawing Reference P.1.P REV A

Street Elevations – Drawing Reference SE.02 REV P1

Documents:

Sustainability & Energy Statement (Blue Sky Unlimited, 2 October 2023)

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

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

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

4. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specification, luminosity, operation and layout of lighting (to be informed by the recommendations contained within Section 4.13 of the approved Preliminary Ecology Appraisal, Ecology Partnership, 2023).

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

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

5. 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 prior to development above slab level.

Reason: To ensure flood risk is not increased elsewhere, that opportunities to reduce the causes and impacts of flooding within the District are addressed and that wastewater infrastructure to service new development is provided as required by Policy CP17 of the Local Plan Part 1 - Joint Core Strategy Adopted March 2013

6. Prior to development above slab level a scheme of landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

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

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

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

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

7. Prior to development above slab level, a Biodiversity Compensation and Enhancement Strategy enhancement Strategy shall be submitted to the Local Planning Authority;

This Strategy should include, but not be limited to, the creation of 15m of native, species rich hedgerow, native tree planting, integrated bat feature (e.g. bat brick) and integrated bird feature (e.g. swift brick).

The details submitted for approval shall include details of the materials, size and design of the bird & bat features, the identification of the trees / buildings where the boxes will be located, the height above ground, the orientation of the box, how the box will be attached to the tree and a timetable for the installation of the boxes. The measures shall be informed by the recommendations set out within paragraphs 4.21 to 4.25 of the approved Preliminary Ecology Appraisal, Ecology Partnership, 2023)

Thereafter, the approved measures shall be installed in accordance with the details so approved.

Reason: To secure biodiversity enhancements as required by Policy CP16 of the Winchester Local Plan Part 1: Joint Core Strategy Adopted 2013.

8. 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

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C) Information regarding the efficiency and performance of the septic tank has been submitted to and approved in writing by the Local Planning Authority

D) A package treatment plant (PTP) management and maintenance plan has been submitted and approved in writing by the Local Planning Authority; and

E) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

The approved development shall not be occupied before 17 September 2025.

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.

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

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

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

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

11. The approved dwelling shall not be occupied until provision has been made for the charging of electric vehicles within the site in accordance with a scheme (including details of the siting and specification) that has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of supporting the transition to a low carbon future as required by paragraph 157 of the NPPF 2023 and reducing impacts upon air quality as required by LPP2 Policy DM19

12. No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- (a) A programme of and phasing of demolition (if any) and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;

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- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

13. Any gates to be fitted across the vehicle access shall open away from the highway (inwards) and shall be set back by at least 6m from the edge of the adopted carriageway.

Reason - In the interests of highway safety.

14. Prior to occupation of each unit the area shown on the approved plan for the parking and turning of vehicles for that unit (Site Layout Plan Reference SL.02 REV P1) 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)

15. The proposed air source heat pumps identified in Drawing Reference SL.02 P2 shall be installed, operated and maintained fully in accordance with the approved ASHP Acoustic Assessment Report (Pulsar Acoustics, 31 May 2024, Reference PA-01163-01-Rev00)

Reason: To ensure the proposed development would not have an unacceptable impact on human health or quality of life as required by LPP2 Policy DP20.

16. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- GHA/DS/160223:24a written by Glen Harding of (GHA trees arboricultural consultancy) and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: To ensure the proposal would not result in the loss or deterioration of ancient woodlands, special trees, distinctive ground flora and the space required to support them in the long term as required by Policy DM 24 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

17. The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected to ensure compliance with the Arboricultural Implications Assessment and Method Statement Ref:- GHA/DS/160223:24a Tree Protection Plan, Ref:- Tree Protection Plan Telephone – Tree Officer. 01962 848360

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Reason: To ensure the proposal would not result in the loss or deterioration of ancient woodlands, special trees, distinctive ground flora and the space required to support them in the long term as required by Policy DM 24 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

18. 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:- GHA/DS/160223:24a

Reason: To ensure the proposal would not result in the loss or deterioration of ancient woodlands, special trees, distinctive ground flora and the space required to support them in the long term as required by Policy DM 24 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

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

Reason: To ensure the proposal would not result in the loss or deterioration of ancient woodlands, special trees, distinctive ground flora and the space required to support them in the long term as required by Policy DM 24 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

Informatives:

1. In accordance with paragraph 39 of the NPPF (December 2024), Winchester City Council (WCC) takes 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

2. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Officer Assessment" section of the report.

3. Biodiversity Net Gain Informative for applications exempt from BNG

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

- The application for planning permission was made before 12 February 2024.

4. Please be advised that the proposed access will require the implementation of a dropped kerb. Further information regarding drop kerbs can be found via the following link:

<https://www.hants.gov.uk/transport/parking/droppedkerbs>

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

6. Reptile habitat such scrub, hedge bases and areas of tussocky grass should be carefully cleared by hand during warmer months to avoid disturbing hibernating reptiles. Any reptiles revealed should be moved to adjacent retained boundary habitat or allowed to move off of their own accord.

7. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service:

developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on the website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements