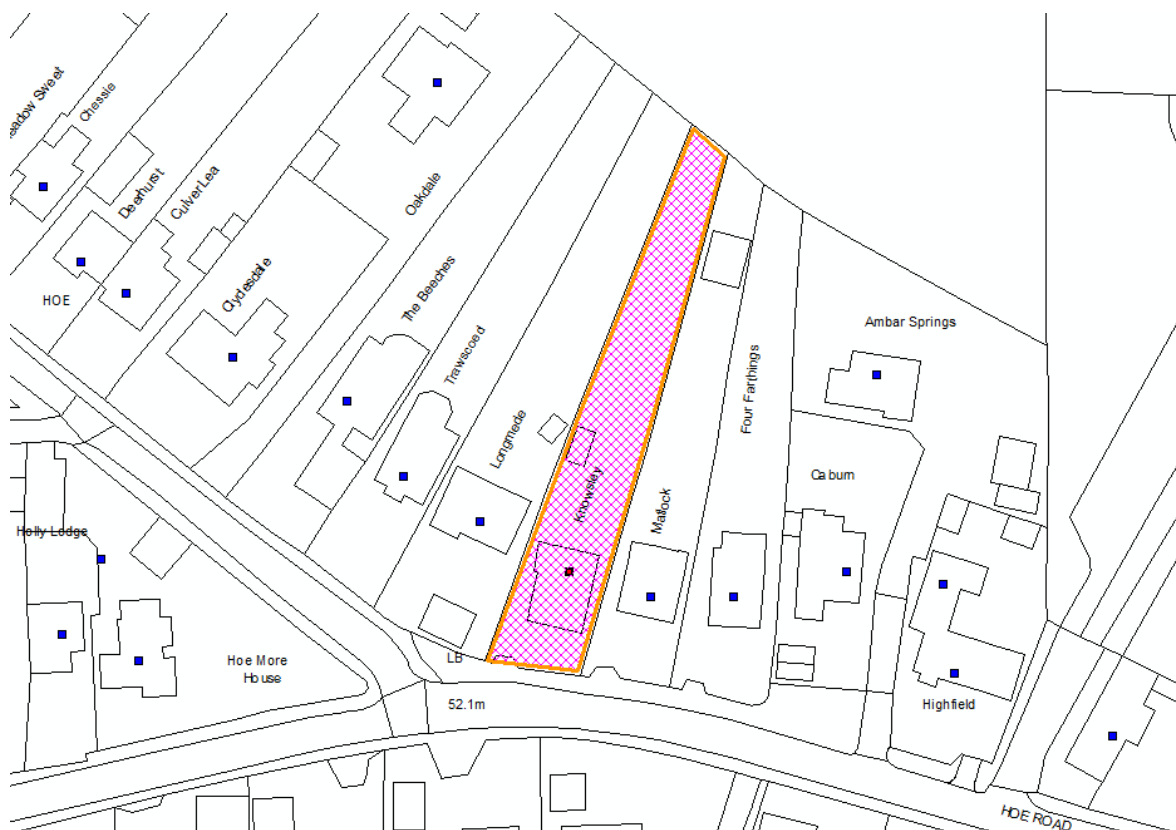


WINCHESTER CITY COUNCIL
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Case No: 25/00680/FUL
Proposal Description: Demolition of dwellinghouse
Address: Knowsley Hoe Road Bishops Waltham Southampton Hampshire
Parish, or Ward if within Winchester City: Bishops Waltham Parish Council
Applicants Name: Mrs Eileen Fletcher
Case Officer: Ethan Townsend
Date Valid: 17 April 2025
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 25/00680/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that with the attached conditions the development would not have an adverse impact upon the character and appearance of the area in accordance with Policies DM15 and DM16 of the LLP2 D1 of the Emerging Local Plan, and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2 and D7 of the Emerging Local Plan.

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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.

Amendments to Plans Negotiated

None

Site Description

The application site comprises a detached bungalow located near the corner of Rareridge Lane and Hoe Road within the settlement boundary of Bishops Waltham. The site is currently vacant, with dense hedging/shrubbery to the front. The application site sits within a continuous row of dwellings that line the northern part of Hoe Road. The majority of dwellings along this part of Hoe Road are detached bungalows, many of which have been altered and extended during the course of their lifetime.

Proposal

The application seeks consent to demolish the existing dwellinghouse at the site.

Relevant Planning History

None.

Consultations

Service Lead – Sustainability and Natural Environment (Ecology)

- No objection subject to conditions.
- Content with survey work.
- Recommend condition on external lighting.

South Downs National Park Authority

- No comments

Representations:

Bishops Waltham Parish Council provided a neutral comment on the application. The Parish Council requested that the LPA ensure necessary surveys are carried out to ensure biodiversity/nature is not harmed. Request that demolition works do not impact neighbouring amenity.

60 Objecting Representations received from 54 different addresses within the Winchester District citing the following material planning reasons:

- Insufficient justification to demolish the house – the house is habitable
- Lack of ecological survey and biodiversity enhancements
- Inaccuracies in Biodiversity Checklist
- Proximity to South Downs National Park

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- Proximity to SSSI
- Harm to the character and appearance of the street scene due to loss of dwelling
- Contradicts sustainability policies
- Damage to trees and hedges on site
- Loss of a dwellinghouse

The following considerations were raised but are not material planning considerations for this application:

- Concern that the development would be used to provide access for future housing development in the area behind.
- Concerns related to future housing development (traffic, biodiversity, impacts, etc).
- Impacts on boundary treatments – party wall agreement

No supporting representations received.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (NPPF)

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 12 Achieving well designed places

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

Section 16 Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

Biodiversity Net Gain

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Natural Environment

Use of planning conditions

When is Permission Required?

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

DS1 – Development Strategy and Principles

MTRA2 – Market Towns and Larger Villages

CP13 – High Quality Design

CP16 – Biodiversity

CP17 – Flooding, Flood Risk, and the Water Environment

Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

DM1 - Location of New Development

DM16 - Site Design Criteria

DM17 - Site Development Principles

DM18 - Access and Parking

DM24 - Special Trees, Important Hedgerows & Ancient Woodlands

Local Plan (Regulation 19) 2020 – 2040

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SP1 - Vision and Objectives
SP2 - Spatial Strategy and Development Principles
D1 - High Quality, well designed and inclusive places
D4 - Design Principles for Market Towns and Rural Villages
D7 - Development Standards
T2 - Parking for New Developments
NE5 - Biodiversity
NE6 - Flooding and Flood Risk
H4 - Development Within Settlements

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Bishops Waltham Village Design Statement 2016

Other relevant documents

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

Nature Emergency Declaration.

Statement of Community Involvement 2018 and 2020

Planning Considerations

Background

Does demolition require consent?

Section 55 of the Town and Country Planning Act sets out the meaning of development. "Development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. For the purposes of this Act, building operations includes demolition of buildings.

The Town and Country Planning Demolition Direction 2021 identifies that demolition should not be taken to involve development of land when it involves a building that does not exceed 50 cubic metres. The application dwelling exceeds this threshold. As such, the proposal is 'development' for the purposes of the Town and Country Planning Act.

Demolition is usually controlled under Permitted Development rights (Schedule 2, Part 11, Class B). Permitted Development rights would allow for the building to be demolished, subject to a Prior Approval application with information regarding the proposed method of demolition and any proposed restoration of the site. A full application has been submitted for the proposed demolition, and not a prior approval application, and therefore this application will consider all relevant material planning considerations.

What is considered under this planning application

During the consultation period for the application, numerous comments were received from interested parties regarding how the site may be used in the future. Concerns were raised regarding the site's potential to be used as an access track for a development to the rear. A planning application must focus on the specific development being applied for and be considered on its merits. Therefore, in this case, consideration of this application relates to
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the demolition of the dwellinghouse. If the land was proposed to be used for any other purpose in the future, materially different to its lawful planning use, as a residential dwelling and garden, then this would require consent in its own right and an application would need to be submitted.

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Regulation 19 Local Plan has been agreed by Full Council, and the examination is now subject to public consultation on the Proposed Main Modifications. Therefore, the emerging policies can be given moderate to significant weight in the assessment of development proposals in advance of Adoption.

The dwelling is not within a conservation area nor is it identified as a designated or non-designated heritage asset. There is no policy within the Development Plan that specifically addresses demolition of dwellinghouses. The application site is situated within the defined settlement boundary of Bishops Waltham. Therefore, the principle of demolishing the dwelling is considered acceptable subject to compliance with the Development Plan as a whole and material planning considerations.

Assessment under 2017 EIA Regulations.

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

Impact on character and appearance of area

The surrounding area is predominantly residential in character. Due to its modest scale, its positioning set back within the plot, and the presence of a substantial front hedge, the existing dwelling does not appear prominent within the street scene. The application site forms part of a continuous row of detached dwellings along the northern side of Hoe Road. Most properties in this section of the road are detached bungalows, many of which have undergone alterations and extensions over time. The application site and neighbouring properties on the northern side of Hoe Road are typically set within long, narrow plots. Plot sizes are generally consistent from The Beeches (on Rareridge Lane) to Four Farthings (on Hoe Road), although some variation in plot dimensions exists across the wider area.

The proposal would result in the loss of the existing dwelling, creating a break in the rhythm of development along this stretch of the road. However, this disruption does not, in itself, constitute demonstrable harm. Planning policies (DM15 and DM16 of the LPP2) and the NPPF (2024) require that any harm must be significant and adverse to justify a reason for refusal. In this case, the openness created by the loss of the building would not appear harmfully out of keeping with the wider character of the area, particularly given the fact that there is variation in plot sizes and building forms along Hoe Road.

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Furthermore, the imposition of a condition requiring a detailed landscaping scheme to be submitted and approved by the LPA will ensure that the site has an appropriate appearance following demolition. This will help to soften the visual impact of the site post-demolition. Subject to ensuring boundary treatments and trees/vegetation are maintained and enhanced, it is considered that the site would still maintain a broadly coherent appearance along the street frontage.

In summary, while the proposal would result in the loss of a dwellinghouse within an established residential area, subject to an appropriate landscaping condition it cannot be said to result in material harm to the character or appearance of the area that would justify refusal. As previously stated, it is also noted that the proposal could be carried out under permitted development, subject to submitting a Prior Approval application. Based on the above, it is considered that the proposal complies with DM15 and DM16 of the LPP2 and D7 of the Local Plan (Regulation 19) 2020-2040.

Development affecting the South Downs National Park

The application site is located 90 metres from the South Downs National Park (SDNP).

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 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 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.

The South Downs National Park Authority was consulted on the application and made no comments.

Taking account of the Park's purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, the development, due to the distance and intervening features, and the nature of the existing bungalow, is considered to have a neutral impact on the setting of the Park and does not therefore adversely conflict with the statutory purposes of the SDNP designation.

In conclusion, the development is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

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

The nearest listed building is 77m to the east, however, due to the intervening-built development, no impact upon its setting is identified.

Neighbouring amenity

Policy DM17 of the LPP2 identifies Site Development Principles that must be followed, including that the proposal must not have an unacceptable adverse impact on adjoining

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land or neighbouring amenities by reasons of overlooking, overshadowing or overbearing, or any other adverse impact to primary amenity spaces. Policy D1 of the Emerging Local Plan shares these requirements.

The proposal seeks the demolition of the dwellinghouse and therefore there would be no overlooking, overshadowing or overbearing impact upon neighbouring properties.

It is acknowledged that the demolition of the dwellinghouse will inevitably result in a degree of noise and disturbance to neighbouring properties. However, such disruption is expected to be temporary and limited to the duration of the demolition works.

To ensure that the process is effectively managed, a planning condition has been recommended requiring the submission of detailed information regarding the proposed method of demolition and a site restoration plan. These details must be approved prior to the commencement of development.

Subject to compliance with this condition, it is considered that there are adequate safeguards in place to minimise adverse impacts on the surrounding area from the proposed demolition. The proposal is considered to comply with Policy DM17 of the LPP2 and D1 and D7 of the Emerging Local Plan.

Sustainable Transport

The proposed development will not impact the access or turning provision within the site. The development will have no impact on highway safety, as the proposal only seeks to demolish the house, with no new operational development is proposed.

Therefore, the proposal complies with policy DM18 of the LPP2 and T2 of the Emerging Local Plan.

Ecology and Biodiversity

Nutrients

The proposal will have no impact as it is not development within, bordering or in close proximity to a Nationally Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) and clearly, no new overnight accommodation is proposed that might affect Nitrates.

Due to the nature of the development and the distance between the application site and the Nationally Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

Protected Species

With regards to protected species, Government Circular 06/2005 advises that the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. It also states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Planning Practice
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Guidance states that planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications.

In England and Wales, all bat species and their roosts are legally protected under the European Habitats Directive (1992); the Conservation of Habitats and Species Regulations (2017); the Wildlife and Countryside Act (1981) (as amended); the Countryside and Rights of Way Act, 2000; and the Natural Environment and Rural Communities Act (NERC, 2006).

During the course of the application an Ecological Impact Assessment was submitted. The Ecological Impact Assessment by Darwin Ecology (September 2025) identified that the building hosts a high roost suitability for protected species (bats) and therefore 3 emergence surveys were carried out. The Authority's Ecologist has been consulted on the application, and they are satisfied that the required amount of survey work has been undertaken, and it is in accordance with the best practice guidance. No bats were recorded during the surveys and so it is concluded that the dwelling does not support bat roosts. An informative has been recommended to remind the applicant of their responsibility in the unlikely event that a bat roost is discovered during the demolition works.

Paragraph 6.8 in the Ecological Impact Assessment by Darwin Ecology (September 2025) references bat sensitive lighting to be used during the demolition works (if required) this is to avoid any impacts on commuting and foraging bats that were recorded in the emergence surveys. The Authority's Ecologist agrees with these recommendations and as such, a condition has been attached to secure this.

Biodiversity Net Gain

Biodiversity net gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). As such, planning applications (unless exempt) received on or after 2 April 2024, are required to provide a 10% Biodiversity Net Gain. Based on the information available, one of the statutory exemptions set out under the Biodiversity Gain Requirements (Exemptions) Regulations 2024 applies. Regulation 4 sets out that de minimis development is exempt, which is defined as a development proposal that impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero. The proposed development would involve the demolition of the dwellinghouse on site. The building has a biodiversity value of zero. As previously stated within this report, a condition has been recommended to secure how the site would look post-demolition to ensure that the site is appropriately landscaped, and vegetation is not harmed. The proposal would comply with the de minimis exemption.

Biodiversity and Ecology - Conclusion

In conclusion, the application has been accompanied by appropriate ecological surveys which have not identified the presence of any protected species within the dwelling. Subject to the recommended conditions, the demolition of the dwellinghouse would not have a harmful impact upon biodiversity and protected species. Therefore, the proposal complies with policy CP16 of the LPP1 and NE5 of the Local Plan (Regulation 19) 2020-2040 and relevant legislation as outlined above.

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Sustainable Drainage

The Environment Agency's flood maps have been reviewed, and the site lies within Flood Zone 1, an area with the lowest probability of flooding, specifically less than a 0.1% annual chance of river or sea flooding. The site has not been identified as being at risk of surface water flooding.

The proposal will not impact surface water drainage negatively, as it involves the demolition of the existing dwellinghouse, which would reduce plot coverage, thereby improving the site's ability to manage surface water. Additionally, as no new operational development is proposed, there is a reduced requirement in respect of foul water/connection to mains drainage.

Therefore, the proposal complies with policy CP17 of the LPP1 and NE6 of the Emerging Local Plan.

Equality

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

Planning Balance and Conclusion

In summary, while the proposal would result in the loss of a dwelling resulting in some disruption to the pattern of development within an established residential area, it is not considered to cause material harm to the character or appearance of the locality, provided that an appropriate landscaping scheme is secured through a pre-commencement condition. Furthermore, appropriate conditions have been recommended to ensure that the demolition does not result in harm to neighbouring amenity and protected species.

Recommendation

Permit subject to the following conditions:

Conditions

1. Time

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. Prior to the commencement of the demolition, details of the proposed method of demolition and a proposed site restoration plan should be submitted to and approved in writing by the Local Planning Authority. The demolition and restoration plan shall be implemented in full during the course of the works.

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Reason: To ensure that the demolition of the dwellinghouse would not result in harm to the character or appearance of the area and neighbouring amenities.

3. Prior to the commencement of development, a detailed scheme for hard and soft landscaping, including any existing vegetation, and any proposed tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the completion of the demolition. 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.

4. Details of any external lighting (both during demolition and operation) of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles) and hours of operation. Any exterior lighting should accord with the Institute of Lighting Professionals (ILP) and the Bat Conservation Trust (BCT) bats and artificial lighting guidance note 08/23. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the landscape character of the area from light pollution and to minimise the impact on surrounding habitats and protected species.

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

In this instance:

- the applicant/agent was advised of minor changes required to the application and these were agreed.
 - the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application
2. 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

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because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:

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

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

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

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

4. The applicant should note that this permission does not give any property rights to building on or encroach over or under the adjoining property. The applicant may be required to serve notice under the Party Wall etc Act 1996.
5. All bat species are protected under European Law within the E.C. Habitats Directive and under British law within the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). The applicant is advised that should bats be present, works must stop, and a Natural England European Protected Species licence may be required before recommencing.
6. 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.