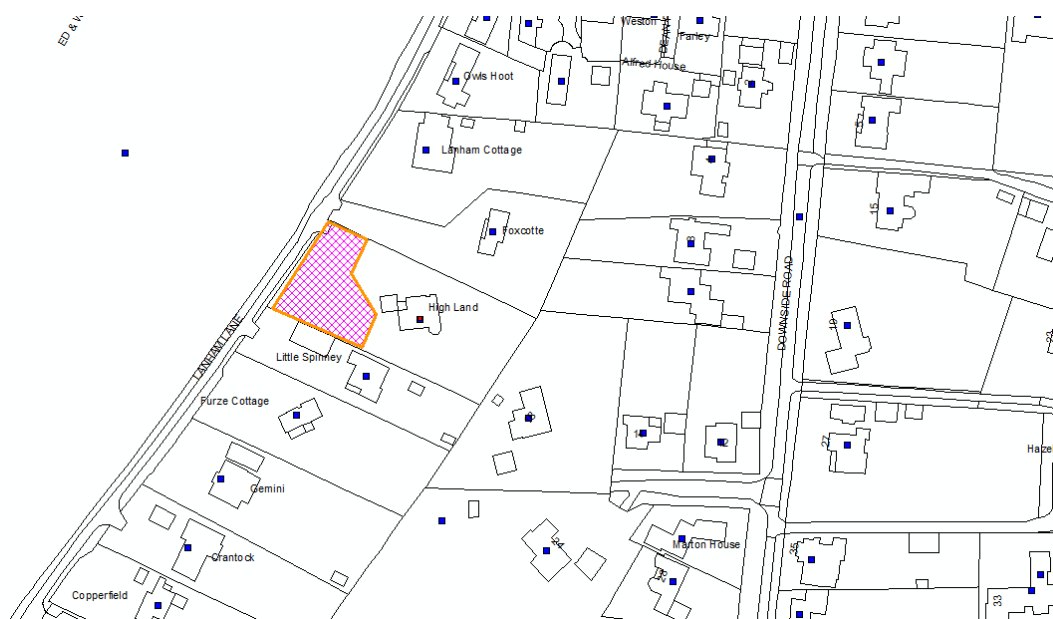


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Case No: 25/01287/FUL
Proposal Description: The proposal is for the construction of a new two storey detached dwelling at High Land, Lanham Lane.
Address: High Land Lanham Lane Winchester Hampshire SO22 5JS
Ward: St Barnabas
Applicants Name: Mr Julian Griffith
Case Officer: Matthew Rutledge
Date Valid: 26 June 2025
Recommendation: Application Permitted
Pre Application Advice Yes

Link to Planning Documents

[Link to page – enter in reference number 25/01287/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as it is considered that it would not have a harmful impact on the character and appearance of the surrounding area and does not result in harmful impacts on neighbouring residential amenity that would justify refusal of the application. The applicant has been able to satisfactorily demonstrate that the proposal is in accordance with the development plan as a whole and all other material planning considerations.

General Comments

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

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Amendments to Plans Negotiated

The initial plans submitted showed the new dwelling with a linked two bay car port. The house and car port were considered to be quite substantial, and the car port was positioned in front of the site entrance so that it would have likely been the dominant feature of the site, blocking views through to the original house and remainder of the site. As such, this led to a sense of overdevelopment of the site. These concerns were raised with the applicant and revised drawings were subsequently received.

The revised drawings, as being considered in this assessment, have moved the car port to the north of the site and have altered its orientation. Its size and height have also been slightly reduced. This has resulted in the structure appearing less dominant from the street and has opened views into the site, reducing the sense of overdevelopment. The height of the proposed new dwelling has also been reduced by over 700mm, and the ground level at its position has also been reduced slightly, meaning the proposed new dwelling is now much closer in height to the existing house to be retained.

Site Description

Lanham Lane is a narrow, unclassified, adopted road set to the north west of the centre of Winchester, on the edge of Weeke. The road forms the edge of the Winchester Settlement Boundary, with land to the west predominantly being open agricultural fields.

The properties on Lanham Lane are set along its eastern side. Development is varied in style, form and layout. Towards the middle of the lane, where the application site is positioned, these properties are predominantly substantial detached dwellings in good size plots. Development is somewhat denser towards the ends of the lane, with an example of infill development to the south, on land formerly part of Crabtrees.

The site itself is surrounded by vegetation of some form, with some small to medium sized trees along the boundary with Lanham Lane. Access to the site is from its north west corner, with views into the site broken up by the vegetation. It should be noted that some vegetation appears to have been removed from the site prior to submission of the application. The existing house, High Land, is set back some distance from the entrance to the site and is positioned at a slightly unusual orientation, facing towards the north.

The existing dwelling has received several extensions over the years, including a double garage and first floor extension above. The property features a light brick with tile hanging under pitched roofs.

The closest neighbours are Foxcotte positioned to the north, Little Spinney to the south, and 18 Downside Road at the rear of the site in the east. Foxcotte would be some 40m north east of the proposed new dwelling and 18 Downside Road is over 60m to the east. Little Spinney is the nearest dwelling to the position of the proposed new dwelling (barring the existing property on site) and is approximately 14m to the south east, although its detached garage is much closer at circa 5m. The retained dwelling, High Land, would be roughly 10m east of the new dwelling at their closest points.

Proposal

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The proposal is for the construction of one new, two storey, residential dwelling within the curtilage of the existing dwelling, High Land. High Land will be retained. The new dwelling will be positioned to the west of the existing house, closer to Lanham Lane. A new detached car port is also proposed, and this will be positioned to the north of the site nearer to the entrance and will be accessed using the existing driveway.

Proposed materials include clay roof tiles, red brickwork and hanging clay tile cladding. The design has a traditional feel and incorporates details such as a projecting brick course, brick plinth, traditional style casement windows and stone cills, along with exposed rafters to the eaves and gables. The car port will have matching materials and is predominantly open sided with an oak frame.

The new dwelling will connect to the existing foul drainage arrangement although, as part of the development, this system will be upgraded from a septic tank to a more efficient package treatment plant.

The car port provides parking for two vehicles while the driveway would allow for an additional one to two vehicles if needed. The existing dwelling retains its double garage and the parking area in front of this, which is capable of accommodating at least two vehicles. All vehicles would be able to turn on site and exit in a forward gear.

The access to the site as a whole is retained and unchanged.

Relevant Planning History

None relevant.

Consultations

Service Lead – Built Environment (Archaeology)

- Recent archaeological surveys and investigations in the vicinity of the site have shown potential for archaeological remains. Considering the lowering of the ground level, excavations for foundations etc, it is considered that a programme of archaeological excavation and subsequent report on the findings is secured by suitable conditions.

Service Lead – Engineering (Drainage)

- In flood zone 1 so no objection on flood risk grounds. Surface water will need to be managed, and a SuDS based strategy should be adopted. A pre-commencement condition requiring the submission and approval of detailed foul and surface water drainage designs is required.

Service Lead – Sustainability and Natural Environment (Ecology)

- Preliminary Ecological Appraisal concludes limited suitability for birds and reptiles in particular. The report sets out appropriate mitigation measures which should be conditioned. The report also recommends several enhancements such as bird and bat boxes which should be secured by condition.
- It was noted that the Biodiversity Net Gain metric originally submitted to establish the baseline habitat position on site did not include a number of trees and

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vegetation removed before submission of this application. After discussion with the applicant the Biodiversity Net Gain calculation was updated to include this removed vegetation. The baseline position is now considered acceptable.

Service Lead – Sustainability and Natural Environment (Trees)

- No objection subject to the addition of recommended conditions to secure the tree protection as set out in the accompanying arboricultural report.

Natural England -

- No objections subject to the appropriate mitigation being secured by condition.

Representations:

Councillors – N/A

City of Winchester Trust

- Neutral. 'No comments'.

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

- Impact on character of the area including overdevelopment of the site
- Overlooking of neighbouring properties
- Biodiversity and ecology concerns
- Traffic and road safety
- Sustainability

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (NPPF)

1. Introduction
2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
12. Achieving well-designed places
15. Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

- Appeals
- Appropriate assessment
- Before submitting an application
- Biodiversity net gain
- Climate change
- Community Infrastructure Levy
- Consultation and pre-decision matters
- Design: process and tools
- Determining a planning application
- Effective use of land
- Environmental Impact Assessment
- Housing supply and delivery

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- Making an application
- Natural environment
- Neighbourhood planning
- Planning obligations
- Renewable and low carbon energy
- Use of planning conditions
- Viability
- Waste
- Water supply, wastewater and water quality
- When is permission required?

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

Policy DS1 – Development Strategy and Principles

Policy CP1 - Housing Provision

Policy CP11 - Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP16 – Biodiversity

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

Policy DM1 – Location of New Development

Policy DM2 – Dwelling sizes

Policy DM15 – Local Distinctiveness

Policy DM16 – Site Design Criteria

Policy DM17 – Site Development Principles

Policy DM18 – Access and Parking

Policy DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Local Plan (Regulation 19) 2020 – 2040

Strategic Policy SP2 – Spatial Strategy and Development Principles

Policy CN3 – Energy Efficiency Standards to Reduce Carbon Emissions

Policy CN4 – Water Efficiency Standards in New Developments

Strategic Policy D1 – High Quality, Well Designed and Inclusive Places

Strategic Policy D2 – Design Principles for Winchester Town

Policy D7 – Development Standards

Strategic Policy T1 – Sustainable and Active Transport and Travel

Policy T2 – Parking for New Developments

Policy T4 – Access for New Developments

Strategic Policy NE1 – Protecting and Enhancing Biodiversity and the Natural Environment in the District

Policy NE5 – Biodiversity

Policy NE6 – Flooding, Flood Risk and the Water Environment

Policy NE15 – Special Trees, Important Hedgerows and Ancient Woodlands

Strategic Policy H1 – Housing Provision

Policy H4 – Development Within Settlements

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Air Quality Supplementary Planning Document 2021

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Residential Parking Standards 2009

Other Relevant Documents

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

Nature Emergency Declaration.

Statement of Community Involvement 2018 and 2020

Biodiversity Action Plan 2021

Waste Management Guidelines and Bin Arrangements

Position Statement on Nitrate Neutral Development – February 2020

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) 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 application site is within the defined settlement boundary of Winchester where the principle of development such as that proposed is acceptable subject to compliance with the Development Plan as a whole and all other Material Planning Considerations.

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

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

Assessment under 2017 EIA Regulations.

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

Impact on character and appearance of area

The site is quite well screened from the public realm by vegetation along the boundary with Lanham Lane. Views of the new dwelling would be apparent through the site access and glimpsed between the vegetation along the west boundary. The existing house would likely remain the dominant feature in views directly through the site access.

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Existing dwellings on the street are varied in design and scale, with traditional properties such as Furze Cottage and Little Spinney contrasting with the more modern appearances of Owls Hoot and Foxcotte. It is not considered that there is a strong building line along Lanham Lane, although it could be argued that the majority of properties are positioned closer to the road than High Land (and Foxcotte). As such, it is not considered that the new dwelling would look out of place in its proposed location.

The proposed design of the new dwelling features two forward projecting gables and a central covered porch, not dissimilar to the designs at Gemini and Crantock further south on Lanham Lane. The proposed new dwelling is closely comparable in both footprint and height to the existing house, High Land.

It is considered that the proposed design incorporates high quality materials in the form of the clay roof tiles and tile hanging, and also includes a number of features that add detail and interest to the property. Such features include exposed rafters, a brick plinth, a projecting brick course between ground and first floor, traditional windows with soldier course heads etc.

The main views into the site from the public realm are likely to feature the north and south elevations of the new house and car port respectively, with the existing dwelling visible between the two further into the site.

The existing curtilage to High Land is quite substantial and it is thought that, considering the size of High Land and the new dwelling together, along with their respective garden areas, the proposal would not result in overdevelopment of the site.

Overall, it is not considered that the proposal would have a substantially detrimental impact on the character of the site or surrounding area to the extent that would justify refusal of this application. The proposal is considered to comply with policy CP13 of the LPP1 and policies DM1, DM2, DM15, and DM16 of the LPP2. The proposal is also considered to comply with policies SP2, D1, D2, H1, and H4 of the Emerging Local Plan 2020-2040.

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

Development affecting the South Downs National Park

The application site is located 2.74km 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 2024. 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.

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Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

In conclusion therefore the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

No Impact, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

Neighbouring amenity

The neighbours to the north and east of the site, Foxcotte and 18 Downside Road, are over 40m from the nearest part of the proposed dwelling with vegetation providing at least some element of screening. Considering this, along with the orientation of these properties and the extent of their own plots, it is not considered that the proposed dwelling would be capable of having a substantial negative impact on their residential amenity to an extent that could justify the refusal of this application.

The neighbouring dwellings that could be most impacted are Little Spinney to the south and the retained dwelling, High Land.

Little Spinney is a chalet style bungalow with a steep pitched roof and two dormer windows in the principal elevation. Its north elevation, facing the proposed dwelling features two roof lights. At ground floor level there are windows facing towards the application site, however, the boundary treatment, a closeboard fence that has been reinforced with planting within the curtilage of High Land, obscures these. An existing tree, which is to be retained, on the southern boundary of the application site will provide some screening. It is proposed to add an additional two trees along the boundary adjacent to Little Spinney which would provide further screening.

The existing dwelling, High Land, will be retained in its existing form. There is a first floor window above the double garage which will face west towards the proposed new dwelling. This window could conflict with the closest first floor rear elevation window on the new dwelling, being only around 10m distant, with both windows possibly providing views into the other. In addition, this window in High Land would likely provide views into the main amenity garden areas of the new dwelling, and possibly into the ground floor rooms considering the substantial glazing proposed at the rear of the new dwelling. This issue is between the existing and proposed dwelling and therefore does not impose any new overlooking on existing neighbours. As such, the applicant is clearly aware that there may be an overlooking issue between the first floor windows of the property. Further to this, potential buyers of the new property would be able to assess any overlooking from this window before deciding to buy the property. The site plan indicates a tree is proposed to be planted between the two windows, and other screening could be considered when preparing a landscaping plan. Based on this, it is thought that the relationship between this window and the new property could be acceptable. It is felt, however, that more could be done to improve this relationship. Having discussed with the applicant, they have indicated they would be willing to obscure glaze or completely remove this window, which would be a preferred outcome. The bedroom within High Land that this window serves already benefits from two windows in the north elevation. As High Land itself is not within the red

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line boundary for this application, the requirement for this window to be obscured or removed would need to be secured by a legal agreement.

The proposed new dwelling is angled to present its rear elevation to the gap between High Land and Little Spinney. Views from the first floor windows of the new dwelling would be of its own rear garden, the north side elevation of Little Spinney, the west side elevation of High Land, and a strip of the curtilage to High Land at its rear.

Tree planting is proposed to add screening to these views. High Land would retain a substantial garden space to its east, behind its roof form, that would not be overlooked by the new dwelling. The north elevation of Little Spinney has minimal windows that would be in view, and these are rooflights presenting at an angle that is unlikely to allow for views into the dwelling, particularly at the distance involved.

The proposed new dwelling is north of Little Spinney and a substantial distance from Foxcotte, as such, it is not considered that the new dwelling would overshadow these properties. High Land and the new dwelling are positioned east – west relative to each other and therefore, even if any overshadowing were to occur at this distance, each property would only be overshadowed by the other for a small number of hours at either the beginning or end of the day. This is considered acceptable.

Having had regard to the distances between the proposed new property and the neighbours Foxcotte and Little Spinney, considering also existing and proposed screening from vegetation, it is not considered that the new dwelling would be substantially overbearing on the residential amenity of either neighbour. High Land will be in much closer proximity to the new dwelling, however, considering the distance, screening, orientation of the properties (with High Land's garage and driveway being the closest point to the new dwelling), it is not considered that the new dwelling would be substantially overbearing upon High Land to an extent that would justify the refusal of this application.

Overall, it is considered that due to the distances between all affected properties, the existing and proposed screening from vegetation, and the way that the new dwelling has been orientated to avoid direct views of any neighbour, the proposed dwelling would not result in a substantially harmful impact on the residential amenity of any nearby dwelling to an extent that would justify the refusal of this application. The proposal therefore complies with policy DM17 of the LPP2 along with policies D1 and D7 of the Emerging Local Plan.

Sustainable Transport

The proposal adds one new dwelling on an existing residential site accessed from an unclassified road, and does not make any alteration to that existing site access. Hampshire County Council as Highway Authority has issued standing advice that states for 'residential development creating from 1 to 5 new dwellings, the LHA only wishes to be directly consulted where the development proposals will be accessed directly from an A, B, or C classification of road.' Further, the guidance states 'For applications for which the standing advice applies, where a new point of access is created or an existing one amended, the local planning authority shall consult the LHA on this specific aspect of the application.' As such, there is no requirement to consult the Highways Authority and the standing advice is followed.

The proposal provides sufficient parking for at least three vehicles for both the new dwelling and High Land. The driveway and turning areas are considered sufficient to allow

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for vehicles to manoeuvre such that they can enter and exit the site in a forward gear. The proposal for the new dwelling includes bin storage within 10m of the site access, allowing for bins to be easily moved for roadside collection. The proposal includes pedestrian access onto Lanham Lane separate from the main vehicle access. The recommended planning condition relating to vehicles turning will be included on any permission given (Condition 13). As such, it is considered that the proposal meets the standing advice of the Highways Authority.

The site is a 12 minute walk to the supermarkets and shops on Stockbridge Road and Stoney Lane. The railway station is approximately a 30 minute walk from the site. As such, the site is considered to be in a sustainable location.

Based on the above, it is considered that the proposals are in accordance with policy DM18 of the LPP2, along with policies T1, T2, and T4 of the Emerging Local Plan.

Ecology and Biodiversity

A Preliminary Ecological Appraisal was submitted in support of this application, which concluded that the site has limited suitability for birds and reptiles in particular. The Council's Ecologist has been consulted in regard to the proposal and has confirmed that the report is reasonable and appropriate. The report sets out various mitigation measures which the Ecologist has confirmed are appropriate and should be a planning condition of any permission granted. The report also recommends several enhancements such as bird and bat boxes which the Ecologist also recommends are secured by condition. (Condition 4).

A full landscaping plan to include details of all proposed planting will be secured by condition. (Condition 5).

At present, there are a number of trees on site, none of which are protected. Some of these are to be removed to allow for the proposed development. An arboricultural report has been submitted in support of the application which concludes that of sixteen trees, tree groups, or hedges identified in the report, five will be removed. The report states that those to be removed are either small in size with little amenity value or are in poor condition. The report states that there will be no development work within the root protection area of the retained trees, and details tree protection measures to ensure their health.

The Council's Tree Officer has been consulted on this report and has confirmed no objections subject to the inclusion of recommended conditions on any permission granted, to ensure the appropriate tree protection measures are carried out. (Condition 16).

Biodiversity Net Gain

The proposal falls under the Biodiversity Net Gain requirements and will need to demonstrate a gain of at least 10% above the baseline habitat assessed prior to development. As identified by the Council's Ecologist and Tree Officer, the Biodiversity Net Gain calculator originally submitted to establish the baseline habitat position on site did not include a number of trees and vegetation removed from site before submission of this application. After discussion with the applicant the Biodiversity Net Gain calculation was updated to include this removed vegetation. The updated baseline position has been reviewed by the Ecologist and is now considered acceptable.

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Whilst some additional trees and hedgerow units are proposed to be added on site, there is still an overall deficit that will need to be met. It is proposed to meet the 10% net gain requirement by the purchase of offsite credits

Government guidance is that, while planning applications should establish the baseline of biodiversity that exists on site and a strategy for delivering a 10% net gain, the delivery of this net gain is to occur after planning permission has been granted with details such as the Biodiversity Gain Plan and Habitat Management and Monitoring Plan to be approved prior to works commencing. In these circumstances the application has met these requirements and conditions are therefore attached (condition 11 & 12) to ensure the submission of a suitable Biodiversity Gain Plan, Habitat Management and Monitoring Plan and an appropriate s106 legal agreement to secure funding relating to the monitoring of the off-site Biodiversity Net Gain.

Nutrient Neutrality

The proposal is for Development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) and is for overnight accommodation affecting Nitrates.

Please refer to the Appropriate Assessment Statement at the link below:

[Habitat Regulation Assessment \(HRA\) screening matrix](#)

Foul drainage for the existing dwelling on site is served by a septic tank. Calculations submitted in support of the application indicate that the existing sewage system results in a nutrient discharge of 9.92kgTN/yr and 1.42kgTP/yr. As part of the proposal, the existing sewage system is to be upgraded to a more efficient package treatment plant. The new package treatment plant will serve both the existing/retained dwelling and the proposed new dwelling. Calculations submitted based on the new sewage system serving both properties indicate a nutrient discharge of 1.24kgTN/yr and 0.34kgTP/yr. This represents a significant improvement over the existing situation and means that the proposed development is considered nitrate neutral.

It is considered that a legal agreement will be required to ensure that the package treatment plant is installed in accordance with the details provided in this application and is appropriately maintained and replaced (if/when needed). The proposed heads of terms for the legal agreement can be read at the end of this report. Any permission granted will be subject to the completion of this legal agreement.

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and internationally protected sites. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England. The authority's assessment is that the application has demonstrated nitrate neutrality, which is secured by way of legal agreement, complying with the Council's strategy and resulting in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

This represents the authorities Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and
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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 2024.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. Condition 7a secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

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

The submitted design & access statement indicates that the new dwelling will incorporate solar panels and an electric car charging point, amongst other sustainability measures.

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

The emerging Local Plan will require developers to do more to tackle carbon emissions in new development through policies CN1, CN3, and CN4, but as the emerging plan has not yet been adopted these policy requirements cannot be insisted upon.

Sustainable Drainage

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

The proposed new dwelling will be serviced by a package treatment plant as described above.

The Council's Drainage Engineer has been consulted and has confirmed they have no objections subject to a standard pre-commencement drainage condition (Condition 8) for foul and surface water drainage and to ensure surface water is managed by a SuDS based strategy system.

Therefore, the proposal complies with policy CP17 of the LPP2 and Policy NE6 of the Emerging Local Plan.

Archaeology

The application site is in an area where recent archaeological surveys and investigations in its vicinity have shown potential for archaeological remains. These nearby surveys have identified evidence of probable settlement dating to the Late Iron Age and Roman periods as well as potential Neolithic activity. The Council's Archaeologist has been consulted with regard to the possibility of archaeological remains being present on the site.

The Archaeologist has confirmed that, whilst there are no overriding archaeological concerns in respect of the current application, given the proposal involves the lowering of the ground level, excavations for foundations etc, it is considered that a programme of archaeological excavation and a subsequent report on the findings is required. This will be secured by a suitable pre-commencement condition (Conditions 14 & 15).

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Equality

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

Planning Balance and Conclusion

The application will result in an additional dwelling. The application site is within the defined settlement boundary of Winchester where the principle of development is acceptable subject to compliance with the Development Plan and material planning considerations.

Based on the above assessment the proposal would conserve the character and appearance of the immediate area and does not result in adverse impacts to neighbouring residential amenity that would justify refusal of the application. The proposal demonstrates its compliance with other relevant planning considerations and the conditions and legal agreements described above provide the required certainty that the development will be carried out in accordance with those considerations.

Planning Obligations/Agreements

In seeking the planning obligations and/or financial contributions for the installation and ongoing maintenance & monitoring of the proposed package treatment plant, along with the requirement to obscure or remove the first floor window above the garage in the west elevation of High Land, the Local Planning Authority has had regard to the tests laid down in para 57 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

Approve subject to completion of the following legal agreement and subject to the following conditions:

Legal Agreement – Heads of Terms

1. Details of the PTP mitigation package addressing the additional nutrient input arising from the development
2. Consideration of the PTP maintenance and monitoring plan;
3. Implementation and adherence to the agreed PTP plan;
4. Monitoring of the performance of the PTP in perpetuity
5. Step-in rights for the LPA if the PTP is failing, allowing the LPA to remedy and recover costs;
6. Requirement to replace with a PTP of equal or higher standard at end of life or as otherwise required.
7. Prior to the occupation of the approved new dwelling the first floor west elevation window above the garage to High Land will be appropriately obscured or removed.

Conditions

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

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

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

Proposed Block Plan 8383/D02/A
Proposed Site Plan 8383/D01/RevA
Proposed Ground Floor Plan 8383/D03RevA
Proposed First Floor Plan 8383/D04/RevA
Proposed West and North Elevations 8383/D05/A
Proposed East and South Elevations 8383/D06/A
Existing and Proposed Site Sections 8383/D07RevA
Proposed Carport Plans and Elevations 8383/D08

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

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

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

4. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within the Preliminary Ecological Appraisal dated May 2025, written by Emma Bennett of Pro Vision and submitted to the Local Planning Authority on 26 June 2025. This shall include the required mitigation as set out in section 5 and the recommended enhancements summarised at paragraph 5.13 of the above-mentioned report. Thereafter, the enhancement measures shall be permanently maintained and retained in accordance with the approved details.

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

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

Hard Landscape Works:

- All boundary treatment;
- Hard surfacing materials;
- Existing and proposed finished levels or contours;
- Means of enclosure, including any retaining structures;
- Car parking layout;
- Other vehicle and pedestrian access and circulation areas;

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- Minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting etc);
- Proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.): The approved hard landscape works shall be completed prior to the first occupation of the dwellings hereby approved.

The scheme of hard landscaping works approved shall be completed prior to the occupation of the hereby approved dwelling.

Soft landscaping works shall include:

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

The scheme of soft landscaping works approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

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

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

7.a. Prior to the commencement of the development hereby permitted, detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than

105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of a 'design stage' Standard Assessment Procedure (SAP) calculation and a water

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efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

9. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before an assessment of the potential contamination has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.

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

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

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

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

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11. Development may not be begun on site unless:

- (i) a biodiversity gain plan has been submitted to the planning authority; and
- (ii) The planning authority has approved the plan.

In making an application to discharge the biodiversity gain condition 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 the Town and Country Planning Act 1990 and paragraph 193 of the National Planning Policy Framework (2024).

12. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan under Condition 11 has been submitted to and approved in writing by the Local Planning Authority (LPA). The HMMP shall include the following details:

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

The approved habitat creation and enhancement works shall be implemented in full within six months of the date of their written approval and be shall be maintained for at least 30 years after the development is completed. Notice in writing shall be

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given to the LPA once the habitat creation and enhancement works as set out in the HMMP have been completed

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 193 of the National Planning Policy Framework (2024)

13. Prior to occupation the area shown on the approved plan for the parking and turning of vehicles 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.

14. No development or any works of site preparation shall take place until the applicant or their agents or successors in title have:

a. submitted a Written Scheme of Investigation for a programme of archaeological mitigation works to the local planning authority for approval in writing. The Written Scheme of Investigation shall include:

- i. The programme and methodology of site investigation and recording
- ii. Provision for post investigation assessment, reporting and dissemination
- iii. Provision to be made for deposition of the analysis and records of the site investigation (archive)
- iv. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation and;

b. have implemented the programme of archaeological mitigation works in accordance with the approved details. No development or site preparation shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

15. Following completion of archaeological fieldwork, within 9 months (unless otherwise agreed in writing), a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

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16. Works shall be carried out in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- 241621- AIA 3 written by Barrie Draper on behalf of Eco Urban Arboricultural, and the following measures:

- a) 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 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.
- b) 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:- 241621- AIA 3. Any deviation from works prescribed or methods agreed shall be agreed in writing to the Local Planning Authority.
- c) Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- 241621- AIA 3 written by Barrie Draper on behalf of Eco Urban Arboricultural and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.
- d) 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 Arboricultural Implications Assessment and Method Statement Ref:- 241621- AIA 3 and Tree Protection Plan ref:- Eco 4 Tree Protection for High Land Winchester. Telephone Tree Officer. 01962 848360.
- e) A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree officer. Telephone 01962 848360

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

Informatives:

1. In accordance with paragraph 39 of the NPPF (December 2024), 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP1, CP11, CP13, CP16

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM2, DM15, DM16, DM17, DM18, DM24

Emerging Local Plan 2020-204 – SP2, CN3, CN4, D1, D2, D7, T1, T2, T4, NE1, NE5, NE6, NE15, H1, H4

High Quality Places SPD

Parking Standards SPD

3. This permission is granted for the following reasons:

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

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

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

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

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

6. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub-contractors working on site and furnish them with a copy of the consent and approved drawings.

7. IMPORTANT - Biodiversity Gain Condition

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

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

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(b) the planning authority has approved the plan.

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

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

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

8. Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact highways.development.control@hants.gov.uk