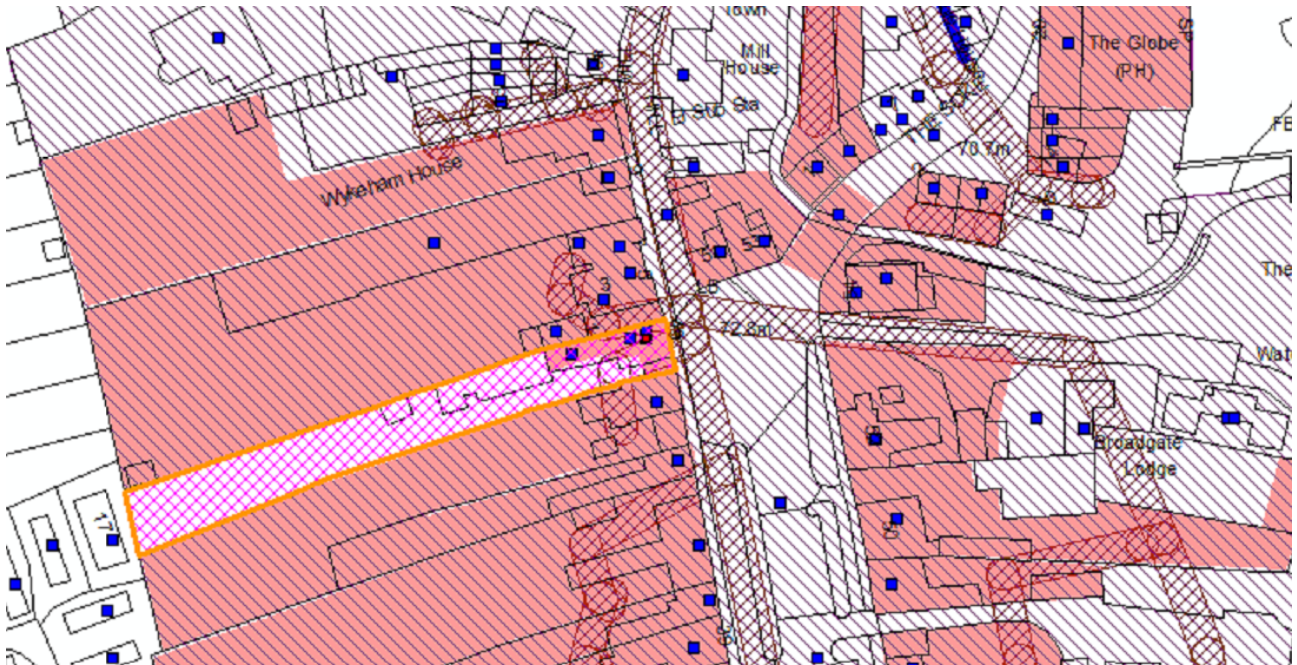


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Case No: 23/01275/FUL
Proposal Description: Erection of new house to rear of 49 Broad Street.
Address: 49 Broad Street Alresford Hampshire SO24 9AS
Parish, or Ward if within Winchester City: New Alresford Town Council
Applicants Name: Mr P Radford
Case Officer: Cameron Finch
Date Valid: 22 June 2023
Recommendation: Application Permitted
Pre Application Advice: No

Link to Planning Documents

[Link to page – enter in reference number 23/01275/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 demonstrates a positive contribution to the character of the surrounding area and is not harmful to the setting and significance of nearby listed buildings and the conservation area.

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

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The application is a resubmission of 19/01525/FUL which was refused by the Planning Committee 24.06.2020. This was due to harm to a nearby listed building and the conservation area. This application was dismissed at appeal due to harm caused to the Solent Special Protection Areas, however the Inspector disregarded other reasons for refusal.

The dwelling has been moved further West into the site to the rear of the existing outbuildings to move it away from the root protection area of nearby trees.

Amendments to Plans Negotiated

Plans and elevations were submitted 02 October 2024 showing the dimensions of the proposed dwelling.

Site Description

The site is a long, narrow plot situated on Broad Street, within the centre of New Alresford. It is a former burgage plot, as are the majority of properties along Broad Street, reflecting the medieval layout of the plots within the town. The plot is bounded to the north, west and south by mature shrubbery and trees. To the front of the plot, facing onto Broad Street, is the main existing dwelling, which is a Grade II listed building. Behind the listed building are a number of outbuildings, including an annex which is currently rented out, that were constructed at different periods in the 20th century. None of the outbuildings are considered to be curtilage-listed. Access into the site from the street is from a former carriage entrance which forms part of the listed building.

Proposal

The proposal seeks to demolish some of the existing outbuildings to the rear and construct a one-bedroom single storey dwelling. It sits adjacent to the Northern boundary with 1 Mill Hill. The proposed dwelling is to have a flat roof with parapet. The North wall is proposed to be constructed of red-multi coloured bricks and the remaining 3 elevations will be rendered in a white colour with brick coping. Windows and doors are to be timber framed. Immediately to the east of the proposed dwelling, will be a parking area for one vehicle and along the southern boundary; access to the site is gained through the opening along Broad Street and no alterations are proposed.

Relevant Planning History

19/01525/FUL - Erection of new house to rear of 49 Broad Street, Alresford. (WITHIN THE CURTILAGE OF A LISTED BUILDING). (AMENDED PLANS).

REFUSED – 23.06.2020 by committee.

Reasons for Refusal: The proposed new dwelling and associated hard landscaping is considered to be contrary to policy DM29 of Winchester District Local Plan Part 2, as well as Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. in that it causes an unacceptable level of harm to the setting of the listed building, namely 49 Broad Street, and would lead to the unsympathetic subdivision of its grounds.

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The proposal represents overdevelopment of this historic burgage plot and does not provide adequate parking or manoeuvring and therefore fails to respond sympathetically to the historic settlement pattern of Alresford and is not considered to conserve or enhance the character of the conservation area, as stated by policy DM27 of LPP2 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeal DSIMISSED 19.03.2021.

Reasons:

“As such, notwithstanding Natural England’s agreement to the Council’s approach, and the fact that the Council has adopted this approach in respect of other residential developments, I find that, as matters stand, there are no detailed mitigation proposals in place as part of this appeal to directly address the likely significant effects upon the European designated sites, and the full details and implications of any such proposals remain unknown.

Accordingly, I conclude that the appeal scheme, in the absence of any satisfactory mitigation and the necessary mechanism for achieving it, would not accord with Policy CP16 of the Winchester District Local Plan Part 1 – Joint Core Strategy (2013), which, amongst other things, supports development which has regard to protecting sites of International, European and national importance from inappropriate development, and supporting habitats that are important to maintain the integrity of European sites.”

Please note the below consideration of the Inspector in this appeal:

“I conclude that the appeal scheme would preserve the character and appearance of the NACA and the setting of the listed building at 49 Broad Street. It would not, therefore, harm their significance as heritage assets. As such, the appeal scheme would accord with LLP2 Policies DM27 and DM29, in so much as these policies seek to ensure that new development conserves or enhances the character, appearance or special architectural or historic interest of conservation areas, and does not cause an unacceptable level of harm to the setting of heritage assets or lead to the unsympathetic subdivision of their grounds.”

“I conclude that it has not been satisfactorily demonstrated that the appeal scheme would conflict with the objectives of LPP2 Policy DM18, in so far as the policy seeks to ensure that development makes appropriate provision for parking and access, including allowing access to, and movement within, the site in a safe and effective manner, having regard to the amenities of occupiers of the site.”

Consultations

Service Lead – Built Environment (Archaeology)

- No archaeological concerns

Service Lead – Built Environment (Historic Environment) –

- No objection subject to conditions.
In this case, the construction of a new dwelling a new dwelling to the rear of a listed building in a Burgage plot is acceptable because of the existing context of additional separate dwellings in flats to the rear of the house.

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The proposed new dwelling is positioned as a continuation of the linear built form to the rear of the listed building, and in this sense it would integrate successfully with the pattern of development on this site, and in burgage plots in this part of the conservation area.

Service Lead – Sustainability and Natural Environment (Trees) –

- No objection subject to tree protection conditions.

Hampshire County Council (Highway Authority) –

- No clear information has been provided on the parking provision within the site, including any information on turning, but given the constraints of the access and internal layout the Highway Authority does not consider that parking within the site is likely to be used.

However, given that the application is for a one-bedroomed dwelling that is unlikely to generate significant traffic or parking impacts or materially affect the safety or operation of Broad Street, the Highway Authority raises no objection to the application.

Natural England -

- Objection – Not possible to conclude that harm would not be caused to the integrity of the River Itchen SAC with regards to phosphorus discharge.
No objection with regards to nitrogen discharge.

In response to this, the applicant has secured nitrate and phosphate mitigation through a credit scheme provided by the Council's New Homes Team.

Representations:

New Alresford Town Council

NATC object to this application because the proposed plan represents overdevelopment of the site and will destroy the area as a burgage plot which is an essential feature of Alresford in the conservation zone.

Access to the site from Broad Street is very narrow. The archway was not designed for cars and the plans show inadequate parking and manoeuvring space. Section G4 of the New Alresford design Statement states that there is regular congestion in Broad Street caused by residents trying to park near their home. Parking in this area of the town is very limited.

Very importantly, there would be impacts of additional nutrients on habitats sites- these should be strongly considered in relation to nitrogen and phosphorus mitigation.

Finally, the trees illustrated on the plan have not been correctly reported. Please could the tree officer look at how this would affect the new building.

12 Objecting Representations received from 8 different addresses citing the following material planning reasons:

- The site is a former Burgage plot and the construction of a dwelling in this plot is harmful to the historic interest of the site.
- Proposed car parking is not adequate.

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- Concerns regarding the placement of trees on protection plan (addressed by amended scheme).
- Potential noise impact on neighbours.
- Harmful to the character of the surrounding area.

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

- Concerns regarding trees have been noted from previous applications and the dwelling will have less impact in new location.
- Access is clear and would benefit from on site parking.
- The dwelling is modest and not harmful to the surrounding area.

Relevant Development Plan Documents and Policies

Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The current adopted development plans comprise:

Winchester Local Plan 2020-2040 (adopted March 2026)

Strategic Policy SP2 – Spatial Strategy and Development Principles

Strategic Policy CN1 – Mitigating and Adapting to Climate Change

CN2 – Energy Hierarchy

CN3 - Energy Efficiency Standards to Reduce Carbon Emissions

CN4 – Water Efficiency Standards in New Developments

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

T2 – Parking for New Developments

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

NE5 – Biodiversity

NE6 – Flooding, Flood Risk and the Water Environment

NE16 - Nutrient Neutrality Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent and The River Itchen

Strategic Policy HE1 – Historic Environment

HE2 – All Heritage Assets (both designated and non-designated)

HE3 – Designated Heritage Assets

Strategic Policy HE5 – Protecting the Significance of Heritage Assets (designated and non-designated heritage assets) and Mitigating Unavoidable Harm

HE8 – Applications Affecting Listed Buildings

HE10 - Development in Conservation Areas

Strategic Policy H1- Housing Provision

Strategic Policy H2 – Spatial Housing Distribution

H3 – Development Within Settlements

Other Relevant Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2024)

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2. Achieving sustainable development
4. Decision-making
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

- Appropriate assessment
- Design: process and tools
- Determining a planning application
- Historic environment
- Natural environment
- Tree Preservation Orders and trees in conservation areas

Supplementary Planning Document

High Quality Places (2015)

Other relevant documents

National Design Guide 2019

New Alresford Design Statement 2008

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

Nature Emergency Declaration

Position Statement on Nitrate Neutral Development (2020)

Biodiversity Action Plan (2021)

Statement of Community Involvement (updated 2020)

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.

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.

Local Plan 2020-2040 Policy SP2 sets out the overarching Development Strategy for the district. Development proposals will be expected to make efficient use of land and prioritise the use of previously developed land/buildings in accessible locations, in accordance with the development strategies set out in policies H1 and H2 of the Local Plan 2020-2040.

The application site is located within the settlement boundary of New Alresford and is noted as a Larger Rural Settlement. Policy H3 notes development that accords with the Development Plan will be permitted and New Alresford falls within this list as having a

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defined settlement boundary. The proposal is therefore considered acceptable in principle, subject to compliance with the relevant policies of the Winchester District Local Plan 2020–2040.

Impact on character and appearance of area

The Western side of Broad Street is defined by the strong building line which No.49 sits within. The site is further defined by ancillary buildings and mature trees which sit to the rear of the listed building. The proposed dwelling is sited to the rear of existing buildings which completely screen views of it from Broad Street to the East. This ensures there is not visible competition between the existing listed buildings and the proposed dwelling. The scale and massing of the proposed dwelling is modest and does not overdevelop the plot to the rear of the existing buildings.

The proposal site is situated part way down an existing narrow former Burgage Plot with the original dwelling, which is listed, sitting at the front of the site. Access to the rear is gained by a former carriage entrance which faces onto Broad Street. A number of ancillary buildings sit to the rear of the listed building. The new dwelling would sit adjacent to these buildings, continuing the pattern of development to the rear of the listed building. It is also subservient by way of its height and roof design, ensuring there is no competition between built form and the overdevelopment of the site. The rear garden, which sits on a higher ground level, remains the same.

The proposed design is simple with a flat roof and associated parapets. In terms of materials, the Northern elevation is finished with red brick whilst other elevations are finished with a white render with brick capping. The proposed design is not typical of the surrounding area, however it is low key and does ensure that the dwelling settles into its surroundings. The material choices are considered to fit within the context of the surrounding area. Condition 3 is recommended to ensure a high quality finish. It is not considered that the design would be harmful to the character of the surrounding area.

The proposed dwelling is modestly sized and complies with the pattern of built development within the surrounding area. Whilst it presents a more contemporary character, it is not widely visible and does not harm the character of the surrounding area. The proposal is compliant with Strategic Policy D1 of the Local Plan 2040.

Development affecting 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 NPPF. 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 application site is located 1.44km from the South Downs National Park. Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

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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 development is within the curtilage of a Grade II listed building which forms part of the setting of a number of designated heritage assets including nearby listed buildings and the New Alresford Conservation Area. The following legislation and policies are considered in the assessment and determination of this planning application.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight and importance must be given to this duty.

The building also lies within the New Alresford Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in accordance with Section 72(1) of the 1990 Act.)

The preservation of the special architectural/historic interest of the listed building and the preservation or enhancement of the character or appearance of the conservation area its setting are covered by Policies HE1, HE2, HE3, HE5, HE8 and HE10 of the Local Plan and NPPF (2024) Section 16.

The listed building at 49 Broad Street is of significance as a good example of a modest, urban vernacular house dating from the 18th Century, with a commercial shop at the ground floor level. It makes a positive contribution to the surrounding conservation area. This significance is formed from its traditional material palette, its historic domestic and commercial use, as well as a way to reinforce the legibility of the medieval settlement pattern, and the historic building line along Broad Street.

The proposal site is situated part way down an existing Burgage Plot with the original dwelling, which is listed, sitting at the front of the site. The long, narrow plot reinforces an appreciation of the building's historical development as the successor to a medieval pattern of development in the conservation area. Access to the rear is gained by a former carriage entrance which faces onto Broad Street. This helps to outline the understanding of the conservation area's development, character and appearance.

To the rear of the listed building are a series of single storey extensions and ancillary buildings, including a detached two-storey annex, which were constructed throughout the 20th Century. Map evidence from the 1940s show another two storey building had been present to the rear of the listed building, however this was demolished in the 1970's.

Considering the existing context of detached buildings of residential use already present on this site and historic precedent for built form in the rear of this Burgage plot, the construction of a separated modestly sized dwelling is considered acceptable. The

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development continues the linear built form to the rear of the listed building and can be integrated with the pattern of development which exists on this site. It is noted similar development has taken place within Burgage plots in the wider surrounding area. The design of the building is atypical for this part of the conservation area, however it is modestly sized and appears subservient to the listed building. It would not be widely visible from within the conservation area. It is considered that the proposed development maintains the character and appearance of the listed building and the conservation area.

On either side of the plot are two listed buildings – 47 Broad Street which is Grade II listed and dates from the early 18thC, 1 Mill Hill which is also Grade II listed and 3, 5 and 7 Mill Hill which all form part of a single medieval building and are Grade II* listed.

It is not considered that there would be any substantially harmful impact upon the settings of the listed buildings, given the location of the proposed building within the plot, away from the immediate setting of those buildings. The profile of the proposed building is low and the design is simple, therefore does not compete with the special qualities of the other listed buildings.

Mature trees make a significant contribution to the character and appearance of the conservation area. The amended scheme moves the proposed dwelling further away from the protection areas of trees on site and a tree protection scheme has been proposed. One minor Cotoneaster tree is removed, however this is not considered to impact upon the character of the conservation area.

Overall, whilst the development is sited within a Burgage plot, it follows the established pattern of development and is subservient to the listed building. The design of the development is atypical, but it ensures compliance with the factors set out above. It is considered that the development maintains the setting and character of the host and neighbouring listed buildings and the conservation area. The proposals comply with the requirements of Section 16 paragraph 212 of the NPPF (2024), Policies HE1, HE2, HE3, HE5, HE8 and HE10 of the Local Plan 2040 and the historic environment section of the Planning Practice Guidance.

Neighbouring amenity

With regards to neighbour amenity, the main adjoining properties are 47 Broad Street to the south-east, 1 Mill Hill and 3-7 Mill Hill to the north-west and 17 Valdean Park to the south-west.

The proposed dwelling sits approximately 60 metres from the boundary with 17 Valdean Park at a lower ground level. The distance is considered sufficient to ensure harm is not caused by overlooking, overbearing or overshadowing impacts.

The existing access to the new dwellings sits alongside the boundary with 47 Broad Street. This could result in more frequent vehicle use close to the boundary with this dwelling. The proposal only provides one extra bedroom and it is unlikely it would result in a frequency of vehicle movements which would result in a noise nuisance. It should be noted the access is pre-existing. The roof of the dwelling would be visible from this neighbouring property, however it is not of a size or scale that harm is caused by overbearing, overlooking or overshadowing impacts.

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The roof of the dwelling would be visible from the neighbouring properties at Mill Hill. As with other neighbouring properties, it is not of a size or scale that harm would be caused by overbearing, overlooking and overshadowing impacts. 1 minor tree is to be removed to accommodate the development, however it is not considered that this impacts upon these neighbouring dwellings.

There is no sustained harm to neighbouring properties and the development is compliant with Policy D1 of the Local Plan 2040.

Sustainable Transport

The existing access to the Southern side of 49 Broad Street is utilised and it is indicated that there is space to park a vehicle on the Southern side of the dwelling, although this has not been indicated on the plans. A one bedroom dwelling is unlikely to generate a significant uplift in traffic to and from the site and there is capacity on the highway network to accommodate one additional vehicle that this dwelling would likely generate. It is not considered that the parking and access at this dwelling would materially affect the safe usage of Broad Street and this is supported by the Highway Authority.

Adopted policies outline that sustainable travel should be given priority in the consideration of planning applications. The site is within 5 minutes walk of a regular bus service connecting New Alresford to Winchester. The site is also in close proximity to local amenities including shops and cafes. The site is within sustainable location and therefore does not require an allocated parking space on site. Whilst not indicated on the plans, there could be opportunities to provide space for cycle parking.

The conclusions of the inspector in the appeal for 19/01525/FUL are noted and are a material consideration. The only change from this application is the position of the dwelling within the site. The situation regarding the access and parking remains the same.

The proposed development is in a sustainable location and would not impact the safe use of the highway. The proposal is compliant with Policy T2 of the Local Plan 2040.

Ecology and Biodiversity

A bat and ecological survey has been provided to support this application. This has been to ensure that there would be no harm to protected species which frequent the mature trees on the site. The survey has confirmed that bats were not present and a stage II survey was not required. It is not considered there would be harm to protected species as a result of the application.

The planning application was submitted in 2023 prior to the introduction of Biodiversity Net Gain (BNG). As such this is not a requirement of this application. Policy NE5 outlines that new development should provide an uplift in onsite biodiversity. The proposal is a minor development within an existing residential curtilage, a condition (condition 8) to secure a biodiversity enhancement plan is considered sufficient to provide an uplift in this case.

The proposed development is considered to comply with Strategic Policy NE1 and Policy NE5 of the Local Plan 2040.

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Trees

There are a number of mature trees on site which make a positive contribution to the character of the conservation area. The proposed development has been shifted away from trees towards the Western end of the garden to lessen its impact upon them. One Cotoneaster tree is to be removed to accommodate the dwelling, however this is minor and would not cause harm. The proposed dwelling sits on previously developed land and it is considered unlikely that there would be harm to trees in this position as they would not have had room to expand. Tree protection measures are proposed during construction to ensure no damage is done to protected trees. This is secured through condition 9.

The proposed development does not harm protected trees and is compliant with Policy NE15 of the Local Plan 2040.

Appropriate Assessment.

The application 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 1.14 Kg/N/year and 0.04 Kg/TP/year is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition complies with this strategy and would result in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard. The previous appeal (19/01525/FUL) dismissed the use of the Grampian condition, however this was in the absence of mitigation. Nutrient mitigation has been reserved through the Council's New Home Team which allows this proposal to be recommended for permission.

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 NPPF.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Local Plan policy CN1 expects new development to be designed in a way that adapts to climate change in line with policies CN2, CN3, CN4, CN5, CN6, CN7 and CN8 where relevant.

This development was originally brought forward in 2023, prior to the adoption of the Local Plan 2040. As such it has not been designed with these policies in mind. It is accepted that it is not reasonable or realistic to retrospectively apply these Carbon Neutrality policies to applications such as this one which were substantially formulated when policy CP11 was in place, and that the sustainability requirements of this development will have to be addressed now by Building Regulations – which in fact largely exceed the previous Code
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for Sustainable Homes levels. In these circumstances it is considered acceptable to permit this development despite non-compliance with newly adopted CN policies.

Sustainable Drainage

The site is within Flood Zone 1. Drainage details are secured through a suitably worded condition to ensure that there is no harm caused to the site and neighbours by surface water runoff (Condition 7).

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 proposed development is within the settlement boundary of New Alresford and the principle of residential development is therefore in accordance with Policies SP2 and H1-H3 of the Local Plan.

The proposed development is for a small new dwelling within an existing residential curtilage. Whilst sited within a former Burgage plot, the development does follow the established pattern of development and is subservient to the existing listed building. The dwelling is not widely visible from the conservation area and unacceptable harm is not caused to trees or biodiversity. Whilst the design of the dwelling is atypical for the area it is not considered to be harmful to the character, appearance and significance of the host listed building, other nearby listed buildings and the surrounding conservation area. There are no harmful impacts on residential amenity.

The proposals comply with the requirements of Section 16 paragraph 212 of the NPPF (2024), Policies SP2, D1, T2, NE1, NE5, NE15, NE16, HE1, HE2, HE3, HE5, HE8, HE10, H1, H2 and H3 of the Local Plan 2040 and the historic environment section of the Planning Practice Guidance and the application is recommended for approval.

Recommendation

PERMIT subject to the following conditions:

Conditions

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

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

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

Location Plan received 23 June 2023

Proposed Floor and Site Plan with Dimensions received 02 October 2024

Proposed Elevations with Dimensions received 02 October 2024

Proposed Floor Plan received 23 June 2023 drawing no. D0436 104 REV B

Section and Foundations received 23 June 2023 drawing no. D0436 106 REV B

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

3. No development shall commence above damp course proofing until details of the materials to be used in the construction of the hereby permitted new dwelling have been submitted to and approved by the Local Planning Authority in writing. The submitted details should include samples, including on-site sample panels as applicable, along with details of brick bonding and mortar / render colour and texture. The development shall then proceed in strict accordance with the approved schedule.

Reason: To ensure the preservation or enhancement of the character or appearance of the conservation area, in accordance with Policies CP20 and DM27 of the Local Plan.

4. No development shall commence on-site until drawn sections and elevations of the windows, doors and rooflights (at a scale of 1:5) and building's rooflines (at a scale of 1:20), have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding fabric. The development shall then proceed in accordance with the approved schedule.

Reason: To ensure the preservation or enhancement of the character or appearance of the conservation area.

5. No development shall commence on-site until full details of hard surfacing and boundary treatments associated with the hereby approved new dwellings, has been submitted to and approved in writing by the Local Planning Authority. This should include samples and 1:50 site plans to demonstrate surfacing, and 1:50 elevations of new boundary treatments. The development shall then proceed in accordance with the approved schedule.

Reason: To ensure the preservation or enhancement of the character or appearance of the conservation area.

6 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

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Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy NE16 of the Local Plan 2040.

7 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 details shall include infiltration rates for surface water soakaways.

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.

8 A Biodiversity Enhancement Plan shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This shall include details and locations of any enhancement provisions (such as bird or bat boxes or native species rich planting). The biodiversity enhancement provisions shall be sited prior to the development coming into its intended use and retained thereafter.

Reason: To maintain and protect biodiversity in compliance with Policy NE5 of the Local Plan 2040.

9 Protective measures, including fencing and ground protection, shall be installed in accordance with the Arboricultural Impact Appraisal and Method Statement reference HBD 2316IAMS R1 written by Helen Brown of Treescapes and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: Reason: To prevent inappropriate work being undertaken to protected trees.

10 Inspection of fencing and ground protection measures.

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 HBD 2316IAMS R1. Telephone 07980 732122.

Limit of Arboricultural work

No Arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Appraisal and Method Statement HBD 2316IAMS R1.

Reason: To prevent inappropriate work being undertaken to protected trees.

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11 Arboricultural Supervision

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.

Pre-commencement meeting.

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.

Reason: To prevent inappropriate work being undertaken to protected trees.

12 All approved new external rainwater goods and soil pipes on the visible elevations shall be of cast metal, painted black unless previously otherwise approved.

Reason: To ensure that the detailing and finish maintains the architectural character and appearance of the setting of listed buildings and the conservation area.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C and D of Part 1; of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

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

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

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.

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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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
Local Plan 2020 – 2040: SP2, CN1, CN2, CN3, D1, D7, HE1, HE2, HE3, HE5, HE8, HE10, NE1, NE5, NE6, NE16 T2, H1, H2, H3
Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
NPPF Section 16
High Quality Places 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.

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7. 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 was submitted prior to the adoption of Biodiversity Net Gain Legislation.
8. 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.