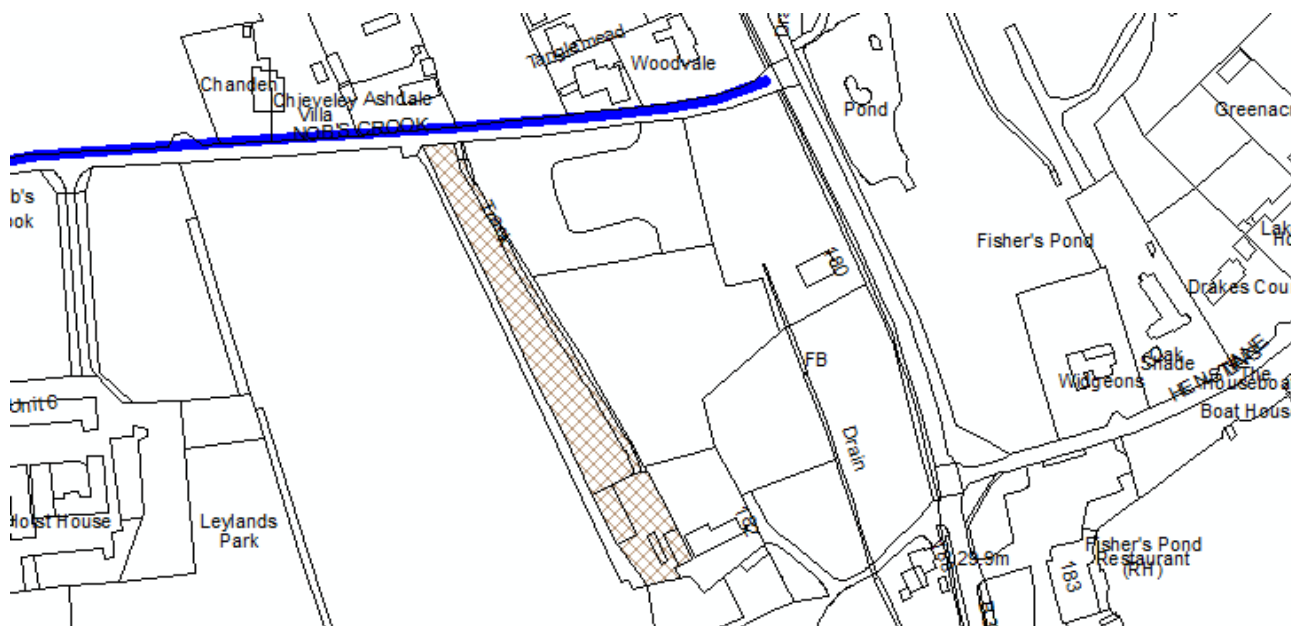


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Case No: 21/00888/FUL
Proposal Description: Material change of use to a mixed use of the keeping of horses and the stationing of caravans for residential purposes (partially retrospective)
Address: Tanglewood Stables (Mapleview) Nobs Crook Colden Common Winchester Hampshire
Parish, or Ward if within Winchester City: Colden Common PC
Applicants Name: Mr Aaron Barnes
Case Officer: Nicola Martin
Date Valid: 1 April 2021
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for approval as there are no adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF.

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In addition, it is considered that the proposal would meet the requirements of the development plan policies SP3, D7, H11, H14, NE1, NE5 and NE16.

General Comments

The application is reported to Committee because of Colden Common Parish Council's request for the application to be determined by Planning Committee, based upon material planning considerations is shown in Appendix 1

Relevant Legislation and Policy changes since the application was validated

It should be noted that since the application has been submitted the Winchester District Local Plan 2020-2040 has been adopted. In addition, Annex 1 of the Government's Planning Policy for Traveller Sites (PPTS) has been updated (December 2024) and the NPPF was also updated (December 2024).

Amendments to Plans Negotiated

Additional information regarding the personal circumstances of the applicants have been submitted on the 16th February 2022. This indicates that the applicants meet the requirements of Annex 1 of the PPTS, currently live in council housing within the Swanmore area and have family ties to the Colden Common area. The applicants have indicated that other sites have been explored and are not available.

Site Description

The site is 0.37ha and is located off Nobs Crook, a single track road that also forms a Public Right of Way (PROW), outside the settlement boundary of the village of Colden Common. The site is a long narrow paddock with two agricultural barns at the southern end of the plot within the application site. An outbuilding belonging to the neighbour 182 Main Road / The Stables lies immediately alongside the red line boundary at the rear of the site.

There is an existing boundary of mature hedging and trees along all boundaries, with residential properties to the east of the site 182 Main Road / The Stables which is located alongside the site's eastern boundary, 2 x flats at Fishers Court 30m to the south and residential caravans at Ashdale 180m to the north of the site.

There are no designated or undesignated heritage assets within 300m of the application site. The closest designated nature conservation site is the Colden Common Wood & Blacknells Copse which is situated 125m to the east of the site.

It is noted that since the application has been submitted the residential postal address of the site has changed from 'Tanglewood Stables' to 'Mapleview'.

Proposal

The proposal would see two pitches for gypsies/travellers including 2 x day rooms. The proposal also seeks to retain the equestrian use and stables on the site.

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This is partially retrospective as, since the application was submitted, the concrete/gravel track and area at the rear of the site have been constructed, as has one of the day rooms (albeit in a temporary location until the second dayroom is ready to be built). One of the static mobile homes has also been added to the site. In addition, close-boarded fencing has been erected at the rear of the site, providing a physical separation of the site from the outbuilding belonging to no. 182 Main Road.

Relevant Planning History

None

Consultations

Service Lead – Built Environment (Strategic Planning)

Initial comment– holding objection

Revised comment – See Appendix 1

Service Lead – Sustainability and Natural Environment (Landscape)

No objection subject to conditions

Service Lead – Sustainability and Natural Environment (Trees)

No comment received

Service Lead – Sustainability and Natural Environment (Ecology)

Initial comment - holding objection

Revised comment – no objection subject to conditions

Service Lead – Engineering (Drainage)

No objection subject to conditions

Hampshire County Council (Highway Authority)

No objection

Hampshire County Council (Rights of Way)

No comments received

Natural England

No objection subject to conditions securing nutrient mitigation

Representations:

Colden Common Parish Council:

The Site is outside of the settlement boundary of the village and therefore does not comply with policy MTRA4 of the Winchester City Council Local Plan Part 1. No information is submitted to show that the application complies with TR6 of the Gypsy, Traveller and Travelling Showpeople DPD. Winchester City Council can demonstrate that the need for gypsy and travellers in policy DM4 of the Winchester City Council Local Plan Part 2 has been met and exceeded, and therefore no outstanding need for gypsy and traveller sites can be justified.

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If the officer is minded to approve the application the Parish Council requests that it should be determined by the Winchester City Council Planning Committee.

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

- Impact on Landscape views and Landscape Character
- Loss of agricultural land
- Unsafe access onto Main Road
- No need for more traveller sites
- Other traveller sites available
- Historic tensions with travellers in the area
- Too much built form for 2 pitches
- Increase in traffic
- Nobs Crook is too narrow
- Impact on local businesses
- Impact on PROW users
- Drainage
- Over concentration of traveller sites in the area
- Outside of settlement boundary
- Would be further developed.
- Impact to Tree Root
- Light and noise pollution

1 Neutral Representation received raising the following queries:

- Unclear plans
- Drainage concerns

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well designed places

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

Section 15 conserving and enhancing the natural environment

National Planning Practice Guidance

Appropriate Assessment

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Light Pollution

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Natural Environment

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

Planning Obligations

Use of planning conditions

Winchester District Local Plan 2020-2040

- SP2 Spatial Strategy and Development Principles
- SP3 Development in the Countryside
- CN4 Water Efficiency Standards in New Developments
- D1 High Quality, Well Designed and Inclusive Places
- D6 Previously Developed Land and Making Best Use of Land
- D7 Development Standards
- T4 Access for New Developments
- NE1 Protecting and Enhancing Biodiversity and the Natural Environment in the District
- NE5 Biodiversity
- NE9 Landscape Character
- NE12 Equestrian Development
- NE14 Rural Character
- 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
- H1 Housing Provision
- H2 Spatial Housing Distribution
- H4 Meeting Housing Needs
- H11 Provision for Gypsies, Travellers and Travelling Showpeople
- H14 Authorised New / Expanded Traveller Sites

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Other relevant documents

Colden Common Village Design Statement

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030

Statement of Community Involvement 2018 and 2020

Landscape Character Assessment March 2004 and emerging LCA December 2021

Biodiversity Action Plan 2021

Position Statement on Nitrate Neutral Development – February 2020

Planning Policy for Traveller Sites (2024)

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.

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The site is located outside of a defined Settlement Boundary and is therefore in the Countryside for planning purposes. Policy SP3 is the relevant policy and sets out the criteria for acceptable development within the countryside which includes the following:

(vi) Residential accommodation for which an exceptional need has been demonstrated, in accordance with Policies H6 (affordable housing exception sites), H11 and H12 (traveller accommodation), or H10 (agricultural dwellings)

Policy H11 (Provision for Gypsies, Travellers and Travelling Showpeople) states that planning permission will be granted for pitches to meet gypsy and traveller accommodations needs, estimated at approximately 91 gypsy traveller pitches and 35 travelling showpersons' plots from April 2022 to March 2040. This policy goes on to state that consent will be granted for pitches that accord with policies H13-H16 subject to the following 5 criteria, summarised below.

- Sites should be well related to existing settlements, and located to avoid sites being over concentrated in any one location or disproportionate in size to nearby communities;
- Site should be accessible to local services by public transport, on foot or by cycle
- Sites should be clearly defined by physical features and not unduly intrusive
- Sites should avoid harm to the significance of heritage assets or biodiversity interests
- Sites should be capable of accommodating the proposed use to acceptable standards and provide appropriate facilities for water supply' foul drainage; recycling/waste management; surface water drainage; open space for children's play; safe vehicular access from the highway; permanent built facilities restricted to essential facilities such as a small amenity block; no commercial activities to take place on the land; minimise external lighting; proposals should be consistent with other Local Plan policies

The application site is located approximately 200m from the southern extent of the Colden Common Settlement Boundary. This village can be accessed on foot via the public footpath at the north of the site, thence via the pavement that runs along the western side of Main Road, the B3354, a walking distance of 350m. It is considered that the site is located near enough to the settled community of Colden Common to allow future residents of the application site to become integrated and use the existing facilities within the village.

In terms of public transport, the nearest bus stops accessible from the site are located on Main Road, 350m walking distance to both the north and south of the site, with buses linking the site to Winchester (including Peter Symonds College), Fareham, Fair Oak, Twyford, Eastleigh (including Barton Peveril College) and Corhampton.

In terms of the concentration of Gypsy, Traveller and Travelling Showperson sites within Colden Common parish, it is noted that there are three pitches at/adjacent to Ashbrook Stables located approximately 220m to the north-east, separated from the application site by woodland, dwellings and local roads. Two additional pitches are located at Little Ranch, near Fishers Pond 1.8km to the south-east. It is noted that Ashdale to the north of the site operates as a residential caravan site with 4 mobile homes (87/00223/OLD), although it is not identified within Local Plan policy H12 as an existing and safeguarded Traveller site, nor are there any conditions attached to the various permissions at this site that restrict occupation by Gypsy, Travellers or Travelling Showpeople. Given the relatively low

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number of sites, and low numbers of pitches at each of these sites relative to the size and scale of the existing settled community of Colden Common, Officers are satisfied that the development would not result in an over concentration of pitches in the area and would not appreciably alter the character of the local area.

With regard to heritage, there are no designated or undesignated heritage assets within 300m of the site. With regard to biodiversity, this is discussed further in this report, but there is no harm subject to appropriate conditions.

With regard to drainage, open space, and access, these are discussed later in this report, have been assessed and no harm found. With regard to external lighting and restrictions to commercial activities, these can be managed through the use of conditions.

Based on the above, the development complies with WDLP policy H11.

Policy H14 (Authorised New/Expanded Traveller Sites) states that proposals for new traveller sites outside the provisions of Policy H3 will only be permitted exceptionally, where they meet an identified need for pitch provision and are for occupation by persons who are defined as gypsies, travellers or travelling showpeople; can demonstrate personal circumstances that show a strong need to be located in the area; and, there is a lack of other suitable accommodation.

The site must be for occupation by persons identified as gypsies or travellers within the PPTS who can demonstrate a personal or cultural need to be located in the area and there is a lack of other suitable accommodation. The application is to create a new site comprising 2 pitches. Information has been submitted indicating that the applicants meet the requirements of Annex 1 of the PPTS. Other sites have been explored in the local area within the Winchester District and surrounding areas that have all been found to be at maximum capacity. The applicants have also demonstrated that they have a family connection to the area.

Based upon the above assessment the proposal is considered to comply with WDLP policies SP3, H11 and H14.

However, it is a material consideration that Winchester City Council is currently unable to demonstrate a 5-year supply of gypsy and traveller or travelling showpersons' pitches/plots (Winchester City Council 2025 Authority Monitoring Report). As such, it is acknowledged that the policies that are most important for determining the application, i.e. policies SP3, H11 and H14 may be considered to be out-of-date.

The 2024 document 'Planning Policy for Traveller Sites' (PPTS) states that *"If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply"*.

Paragraph 11(d) states that

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

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- i. the application of policies in this Framework that protect areas or assets of particular importance (see footnote 7) provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination (see footnote 9).

NPPF Footnote 7 defines assets of particular importance as habitats sites, potential SPAs, possible SACs, listed or proposed Ramsar sites and sites identified for compensatory measures for these types of sites; and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest); and areas at risk of flooding or coastal change. The application site does not fall within, or affect, any of these designations, other than in relation to nutrient neutrality and impact on the Solent designated sites, which would be addressed by the Council's standard Grampian Condition to secure appropriate mitigation.

NPPF Footnote 9 specifies the key policies as those in paragraphs 66 (housing mix) and 84 (isolated homes in the countryside) of chapter 5; 91 of chapter 7 (sequential text of main town centre uses); 110 (sustainable location) and 115 (sustainable transport) of chapter 9; 129 (efficient use of land) of chapter 11; and 135 (design, appearance and function) and 139 (good design) of chapter 12.

As such, whilst the development meets the requirements of WDLP policies SP3, H11 and H14, it is the case that even if it did not, the key policies within the NPPF that the application must satisfy are those listed in NPPF footnote 9, summarised below:

- Paragraph 66 - Relates to major development involving the provision of housing and relates to the mix of affordable housing required meets identified local needs– Whilst not a major development site, the development meets an identified local need for Gypsy and Traveller pitches.
- Paragraph 84 – Relates to development of isolated homes in the countryside – Whilst situated outside of a defined settlement boundary, the application site does not meet the definition of an isolated new home (Braintree 2018¹)
- Paragraph 91 – Relates to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan – Not relevant to this application
- Paragraph 110 – Relates to planning applications for significant development which should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Whilst this development is not considered to be of a significant size or impact, nevertheless give its proximity to village amenities, public footpaths and pavements and public transport, it is considered to be a sustainable location.

¹ *Braintree DC v SSCLG* [2018] EWCA Civ. 610
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- Paragraph 115 – Requires development to ensure that sustainable transport modes are prioritised; safe and suitable access to the site can be achieved and any significant impacts from the development on the transport network on highway safety can be cost-effectively mitigated. As described, the site has easy access to sustainable modes of transport and in addition, access to the site is safe, with no objections from HCC as Local Highways Authority.
- Paragraph 129 – Relates to the efficient use of land, taking into account the identified need for different types of housing; local market conditions; maintaining an area's prevailing character and securing well-designed and attractive places. The application would provide single storey accommodation and retain the existing vegetation screening surrounding the site limiting any visual impact to sensitive receptors from public locations.
- Paragraph 135 requires that development will function well and add to the overall quality of the area over its lifetime; are visually attractive; are sympathetic to local character and history; establish or maintain a strong sense of place; optimise the potential of the site; create places that are safe and accessible with a high standard of amenity for existing and future users. The development would not conflict with any of these criteria (discussed in greater detail in later sections of this report).
- Paragraph 139 states that development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design. WDLP policy H11 is the principle local policy in relation to the design and layout of Gypsy and Traveller sites. Later sections of this report demonstrate that the development complies with the provisions of this policy.

As such, Officers are satisfied that there are no adverse impacts of the development that would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole, with particular regard to the key policies as listed in NPPF footnote 8 and thus the 'tilted balance' in favour of the development applies in line with NPPF paragraph 11(d) and thus permission should be granted.

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

WDLP policy NE9 (Landscape Character) states that the LPA will permit new development where it protects and enhances the district's distinctive landscape character, evidencing that (*inter alia*) the settlement pattern and the integrity of open and undeveloped land between settlements will not be undermined; green and blue corridors will be safeguarded; new planting is consistent with local character and enhances biodiversity.

WDLP policy NE14 (Rural Character) states that outside settlement boundaries plans should not have an unacceptable effect on the rural character and will take into account the following factors including minimisation of visual intrusion; protect and enhance the key characteristics of the landscape and avoid the loss of key features; no unacceptable effect on rural tranquillity including lighting or noise.

In terms of impact on the character and appearance of the surrounding area it is considered that there is a green character to the area with trees and hedges along the

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road. The application site has a mature hedge and tree boundary with an access set back from the road and these features will be retained. The site is long and narrow with existing buildings to the southern end of the site. The proposed site plan would focus development to the southern end of the site to limit the impact of additional buildings on the street scene and from the PROW. The Landscape Architect highlighted that the site is already adequately screened from the area. The PROW though adjacent to the site would be approximately 154m from the proposed development and therefore it is considered that the site would be a significant distance so as to prevent harm to the visual amenities of the area.

In addition, WDLP policy H11 highlights the need for open space within the site for safe children's play, located to avoid conflict with vehicles on the site. Officers are satisfied that the area of lawn at the south of the site, together with the area of grassland at the north would provide sufficient safe space for children to play.

WDLP policy H11 also states that in rural locations, any permanent built structures should be restricted to essential facilities such as a small amenity block. Other than the existing barns on site, the submitted plans show a double amenity block of 8m width, 9.7m length and 5m height. Whilst larger than a single block, the fact that the two blocks are combined reduces the spread of buildings over the site. The block is set back 130m from Nobs Crook and there would be limited visibility from any public viewpoints. It is considered that the proposed layout is acceptable with the proposed pitches are focused at the southern end of the site where there are existing structures.

It is noted that the proposal would result in an intensification of domestic uses, however it is considered that the proposal would be located close to other residential uses in the locality and would not result in harmful impacts to the area. In addition, a landscaping scheme has been secured via condition (conditions 4 and 5) and the existing screening around the site is retained. It is noted that a utility day room has already been erected on the site, in a location other than indicated on the proposed plans and is not the same as the plans/elevations for the day room originally submitted. Whilst the applicant has advised that the location of the day room is a temporary situation only, Officers have not included the plans for the day room within the list of approved plans (condition 1) and in addition a condition to require submission and approval of the details relating to the day room is also proposed.

NPPF paragraph 129 relates to the efficient use of land, taking into account a number of different factors including the identified need for different types of housing; local market conditions; maintaining an area's prevailing character and securing well-designed and attractive places. The application would provide single storey accommodation and retain the existing vegetation screening surrounding the site limiting any visual impact to sensitive receptors from public locations.

NPPF Paragraph 135 requires that development will function well and add to the overall quality of the area over its lifetime; are visually attractive; are sympathetic to local character and history; establish or maintain a strong sense of place; optimise the potential of the site; create places that are safe and accessible with a high standard of amenity for existing and future users. The development would not result in any conflict with these criteria.

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NPPF paragraph 139 states that development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design. WDLP policy H11 is the principle local policy in relation to the design and layout of Gypsy and Traveller sites. As previously described, the development complies with the provisions of this policy.

As such, the application would support NPPF paragraphs 129, 135 and 139 and in addition there would be no conflict with WDLP policies NE9, NE14 or H11.

Development affecting the South Downs National Park

The application site is located 0.7km (0.4 miles) from the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated February 2019. 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 proposal would not result in harmful impacts to the SDNP due to the modest nature of development and intervening screening features. The development is therefore in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

There would be no Impact on the historic environment, the works do not affect a statutory Listed building or structure including setting, Conservation Areas, Archaeology, or Non-designated Heritage Assets including their setting.

Neighbouring amenity

There are neighbours to the east of the site at number 182 Main Road. As the mobile homes and the amenity block are single storey and set away from the boundary immediately adjacent to this neighbour, no overlooking, overbearing or loss of light would occur. It is noted that the proposal would result in the introduction of a domestic use within the application site, however this is not considered to be harmful to the residential amenities of the neighbours. As such, no conflict with WDLP policy D7 (Development Standards) would result.

Sustainable Transport

The application site benefits from an existing access which (when the application was originally submitted) led to an informal farm track along the eastern side of the site that leads to the rear stable buildings. This has since (during the course of this planning application) been replaced by a formal gravel track and gravelled area at the south of the site.

Concerns have been raised in regard to increased traffic and the suitability of the road (Nobs Crook) for caravans. It is considered that the access is acceptable and can accommodate larger vehicles. Given the modest scale of proposed development it is not considered that the proposal would result in adverse impacts to highways users or traffic generation. There is also sufficient space within the site to accommodate sufficient car

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parking for cars and also travelling caravans. It is noted that HCC as Local Highways Authority has not objected to the application.

In addition, as previously discussed, the site benefits from easy access to Colden Common via a pedestrian footway along Main Road, and in addition, access to public transport via the nearby bus stops, also on Main Road.

The development is therefore in accordance with NPPF paragraphs 110 and 115

NPPF paragraph 110 relates to planning applications for significant development which should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Whilst this development is not considered to be of a significant size or impact, nevertheless give its proximity to village amenities, public footpaths and pavements and public transport, it is considered to be a sustainable location.

NPPF paragraph 115 requires development to ensure that sustainable transport modes are prioritised; safe and suitable access to the site can be achieved and any significant impacts from the development on the transport network on highway safety can be cost-effectively mitigated. As described, the site has easy access to sustainable modes of transport and in addition, access to the site is safe, with no objections from HCC as Local Highways Authority.

Therefore the proposal complies with NPPF paragraphs 110 and 115 and in addition, there is no conflict with WDLP policies T1 T2, T3, and T4.

Ecology and Biodiversity

A Preliminary Ecological Appraisal (PEA) was submitted in 2021 when the application was originally submitted. This report identified that the onsite habitats provide suitable foraging and commuting habitats for bats, with the potential to support low numbers of reptiles within the grassland and hedgerow bases. Adjacent to the site is an area of broadleaved woodland with high ecological value, to be retained.

Given the lengthy intervening period, the applicant has submitted (June 2025) an update to the original PEA. The site has undergone some changes, in particular with the area of grassland at the front of the site managed to a short sward and showing some species indicating higher nutrient levels. The area of ruderal vegetation at the rear of the site is now managed as lawn with ruderal vegetation at the edges. Other changes include increased management of the hedgerow along the eastern boundary, however this remains species-rich.

The Ecology Officer has reviewed the updated Ecology report and advised that whilst some deterioration/loss of habitat has occurred, the development is acceptable provided the mitigation, compensation and enhancement measures detailed within the Ecology report are implemented in full. These can be secured by condition.

As such, subject to conditions restricting external lighting, and securing the biodiversity mitigation, compensation and enhancement measures (See conditions 6 and 7), the development would not result in any conflict with WDLP policies NE1 and NE5.

Appropriate Assessment.

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The proposal is for Development within proximity of the River Itchen and the Solent SPAs and Ramsar Sites, a European Protected Site and is for overnight accommodation affecting Nitrates and phosphates. The application site lies over 250m from the nearest foul sewer and as such the applicant proposes to install an onsite Package Treatment Plant (PTP), together with a reedbed to further treat the resultant effluent, together with the surface water drainage from the new sealed surfaces (gravelled) area within the site.

The submitted calculations indicate that subsequent to treatment, there will be an increase (net positive) in the levels of nutrients from the site. As such, WCC as competent authority has judged, in the absence of further avoidance and mitigation measures, the application will have a likely significant effect on European and Internationally protected sites as a positive contribution of 0.82 Kg/N/year for nitrates and 0.48 Kg/N/year for phosphates 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.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework 2018.

Under Reg 63(4) of the Habs Regs the Council considers that is not appropriate, to take the opinion of the general public, and have not therefore further advertised the Appropriate Assessment.

The application therefore complies with policy NE16 of the Local Plan.

Sustainable Drainage

The application site is located within flood zone 1 and therefore is at low risk of flooding by rivers and sea. In addition, there are no areas at risk of surface water flooding within the site.

No details of drainage have been submitted and therefore a condition requiring details of foul and surface water drainage is considered to be appropriate and no conflict with WDLP policy NE6 would therefore result.

Other Topics

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

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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 would see 2 pitches. The applicant has demonstrated a need to be in the location and have confirmed their family status and that there are no other sites available to them in accordance with WDLP policy H14.

The application would make use of an existing farm access which would not result in harm to highways users. It has been demonstrated that the proposal can be made nutrient neutral and would not result in harm to protected areas and species. In addition, conditions to secure a landscaping scheme, biodiversity enhancements are proposed.

The proposal therefore meets WDLP policies T1, T2, T3, T4, NE9, NE14, H11, H14 TR7, D1, D7.

It is a material consideration that the Council cannot currently demonstrate a 5-year supply of gypsy and traveller or travelling showpersons' pitches/plots so that the most important local plan policies for determining the application, (i.e. SP3, H11 and H14) are out of date and planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole, having particular regard to the policies listed in NPPF footnote 9. Officers are satisfied that there are no adverse impacts of the development that would significantly outweigh the benefits, taking into account the policies listed in NPPF footnote 9, and also the policies of the Winchester District Local Plan 2020-2040.

Recommendation

Approve subject to the following conditions:

Conditions

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

Drawing number : 20_1108_003 Rev E - Proposed block plan

Drawing number: 20_1108_009 - Block Plan with RPA (Root Protection Area)

Drawing number: 20_1108_001 - Location Plan

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

2. Within three (3) months of the date of this permission the following documents shall be submitted to the Local Planning Authority for approval in writing:

- 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. 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

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- 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) Evidence to demonstrate that 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.

3. Within three (3) months of the date of this permission, details of foul and surface water drainage works shall be submitted to the Local Planning Authority (LPA) for approval in writing. The surface water disposal details shall include a management and maintenance plan for the lifetime of the development to secure the operation of the scheme for surface water drainage throughout its lifetime. The approved details shall be implemented in full within six (6) months of the date of this permission, and shall thereafter be retained, managed and maintained in accordance with the agreed management and maintenance plan.

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

4. Within three (3) months of the date of this permission, full details of both hard and soft landscape works have been submitted to the Local Planning Authority for approval in writing. These details shall include:

- All boundary treatment;
- Hard surfacing materials;

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.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape.

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the programme agreed with the Local Planning Authority as per condition 4. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season.

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

6. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Any external lighting scheme shall be designed in accordance with the recommendations set out within the ProVision

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Technical Note 'Land Opposite Ashdale' (ref: 7886 dated 25/06/2026) and also in accordance with the Bat Conservation Trust Guidance Note 08/23 'Bats and Artificial lighting at Night' (or subsequent document). The lighting shall only be installed, maintained and operated in accordance with the approved details.

Reason: To protect the neighbouring amenities; and to ensure that the ecological value of the site is not adversely impacted upon by the development.

7. Within three (3) months of the date of this permission, a Biodiversity Management and Enhancement Plan (BMEP) shall be submitted to the Local Planning Authority for approval in writing. This shall set out details of any habitat management and biodiversity enhancement measures as set out within the ProVision Technical Note 'Land Opposite Ashdale' (ref: 7886 dated 25/06/2026) and shall include plans indicating the location of bat boxes, bird boxes and hibernaculum. The approved BMEP shall be implemented as approved and retained thereafter.

Reason: In the interest of biodiversity and protected species.

8. The site shall not be occupied by any person other than gypsies and travellers as defined in Annex 1 of the Planning Policy for Traveller Sites.

Reason: The site is situated outside of a defined settlement boundary within a countryside location where new residential development would not normally be permitted. This proposal is an exception to countryside policy having regard to the needs and circumstances of Gypsy & Travellers.

9. No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) shall be stationed on the site at any time of which no more than 2 shall be static caravans/mobile homes.

Reason: To define the extent of this planning permission and to prevent more intensive use of the site.

10. All mobile homes positioned on the site shall meet the definition of 'caravan' in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended).

Reason: The site is in an area where residential development is not normally permitted.

11. No commercial activities shall take place on the land, including the storage of materials.

Reason: To protect neighbouring amenities and the character of the countryside

12. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

Reason: To protect neighbouring amenities and the character of the countryside.

13. Within three (3) months of the date of this permission full details of the utility /day room buildings including location, materials and dimensions shall be submitted to, and

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approved in writing by, the Local Planning Authority. The approved plans shall be implemented as approved and retained thereafter.

Reason: In the interests of landscape character and neighbour amenity

Informatives:

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, 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.

2. In accordance with paragraph 38 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;
-offering a pre-application advice service and,
-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

Appendix 1: Colden Common Parish Council representation

Customer Details

Name: Ms Clerk to the Parish Council

Address: Parish Office , Colden Common Community Centre, St Vigor Way, Colden Common, Colden Common Winchester, Hampshire SO21 1UU

Comment Details

Commenter Type: Parish Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The site is outside the settlement boundary of the village and therefore does not comply with policy MRTA4 of the Winchester City Council Local Plan Part 1. No information is submitted to show that the application complies with policy TR6 of the Gypsy, Traveller and Travelling Showpeople DPD. Winchester City Council Strategic Planning Team can demonstrate that the need for gypsy and travellers in policy DM4 of the Winchester City Council Local Plan part 2 has been met and exceeded, and therefore no outstanding need for gypsy and travellers' sites can be justified.

If the officer is minded to approve this application, the Parish Council requests that it should be determined by the Winchester City Council Planning Committee.

Appendix 2: Service Lead – Built Environment (Strategic Planning) Consultation response

Gypsy and Traveller Need and Supply Position March 2026

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The starting point for need is the 2022 Gypsy and Traveller Accommodation Assessment (GTAA)ⁱ. This identified a need for both gypsy and traveller, and travelling showpeople accommodation for the period 2022-2038 and broke this down into 5 year periods. Following the publication of the GTAA, there were some key changes to traveller policy, needs and provision. The Council produced a Topic Paper in 2024ⁱⁱ to explain the implications of these and produce a revised statement of need for both gypsy and traveller and travelling showpeople needs for the period 2022-2040. The paper also sets out identified supply for meeting those needs over the same period.

The Winchester Local Plan was adopted in March 2026. It sets out the Council's approach to gypsy and traveller accommodation. In brief, the approach is to retain those sites with existing authorised use; support the intensification and expansion of existing sites where appropriate; and deliver the remaining need on new windfall provision.

The 2025 Authority Monitoring Report (AMR)ⁱⁱⁱ sets out the most recent 5 year position on gypsy and traveller and travelling showpeople needs and supply. It sets out a position as at 2025, and takes into account unmet needs remaining since the publication of the GTAA in 2022.

The position as at September 2025 is as follows –

Calculation	Gypsy & Travellers	Travelling Showpeople
a. 2025-2030 requirement (2022-2026 requirement + 4/5ths of 2027-2031 requirement) ^{iv}	63	25
b. Completions 2022-2025	0	0
c. Remaining 5-year requirement 2025-2030 (a-b)	63	25
d. Supply 2025 – 2030 ^v	38	11
e. Years pitch / plot supply	2.9	2.2

The identified supply 2025-2030 is anticipated to come forward on sites identified through a Pitch Deliverability Assessment prepared by ORS on behalf of Winchester City Council^{vi} and a subsequent officer review of all known sites^{vii}. This sought to understand the capacity of existing private Gypsy and Traveller sites with permanent planning permission to meet levels of need that were identified in the 2022 GTAA through a combination of desk-based research and engagement with members of the travelling communities living on sites in Winchester.

Going forward, the Gypsy and Traveller accommodation needs assessment will be updated to inform the next local plan. There is still an ongoing need to plan for and make provision for the gypsy and travellers community accommodation needs. This will require a holistic and integrated approach working positively with the Gypsy and Traveller Liaison Officer, engaging with the local gypsy and traveller community and work collaboratively to

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identify opportunities. The aim will be to reduce the uncertainty caused by unplanned development, and the to ensure Gypsy and Traveller families have fair opportunities to secure lawful, well-located accommodation.

The Gypsy and traveller Topic Paper concludes as follows –

5.9 It is acknowledged that it will not currently be possible for the Local Plan to demonstrate a deliverable 5-year supply of gypsy traveller pitches or showpersons' plots. This may result in a 'tilted balance' towards granting consent for sites, although these should still be suitable in planning terms and consistent with PPTS and other Development Plan policies. This may assist in achieving additional 'windfall' provision at an early stage and could help to secure an adequate 5-year supply in the relatively short-term.

ⁱ Available at <https://www.localplan.winchester.gov.uk/assets/inline/1140/GT01-Winchester-GTAA-Final-Report-PDF.pdf>

ⁱⁱ Available at <https://www.localplan.winchester.gov.uk/assets/inline/957/SD10d-Gypsy-and-Travellers-Topic-Paper-July-2024-.pdf>

ⁱⁱⁱ Available at <https://www.winchester.gov.uk/planning-policy/monitoring-and-other-planning-documents/annual-monitoring-report-amr>

^{iv} Table of July 2024 Topic Paper provides a breakdown of how this was calculated

^v Set out in Paragraph 5.2 of July 2024 Topic Paper

^{vi} Available at <https://www.localplan.winchester.gov.uk/assets/attach/1141/GT02-Winchester-Pitch-Deliverability-Assessment-Final-Report.pdf>

^{vii} Outlined in paras. 4.2 to 4.12 of the July 2024 Topic Paper