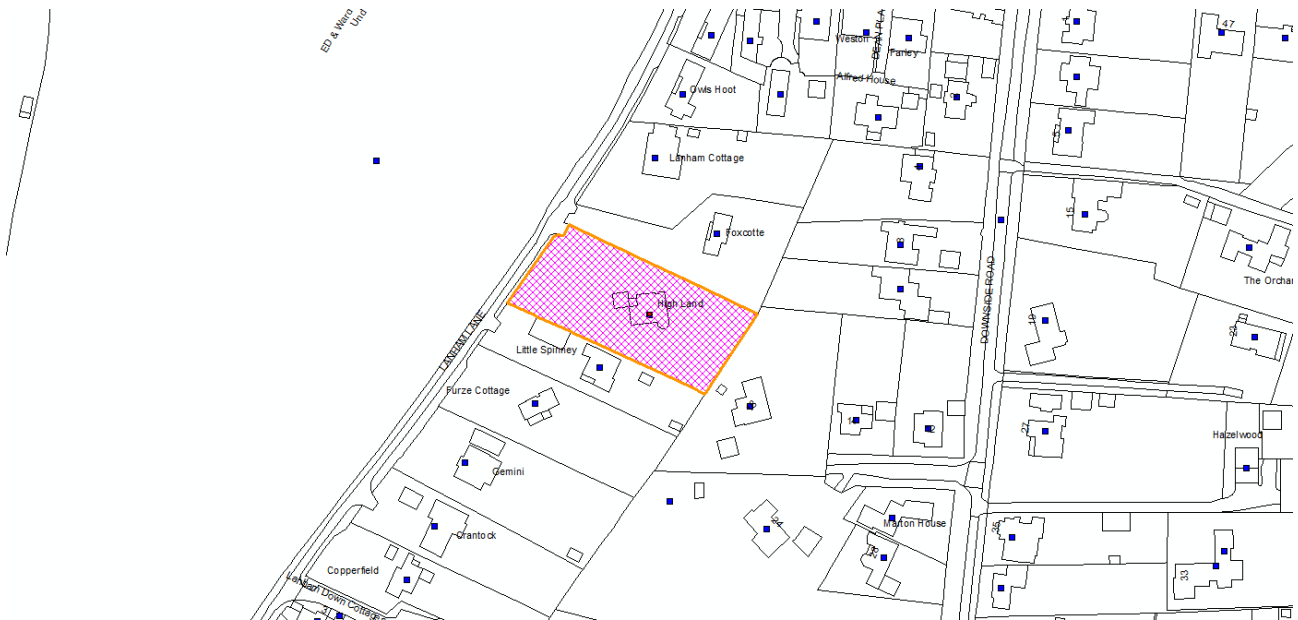


**WINCHESTER CITY COUNCIL
PLANNING COMMITTEE**

Case No: 26/00568/FUL
Proposal Description: Construction of 3 houses and garages, following demolition of existing house. (Phased development including self build) (Amended plans)
Address: High Land Lanham Lane Winchester Hampshire SO22 5JS
Parish: St Barnabas
Applicants Name: Stuart Garnett
Case Officer: Matthew Rutledge
Date Valid: 17 March 2026
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 26/00568/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

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

General Comments

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

It should be noted that there is a recent extant planning permission on the site for the erection of a new detached dwelling and cart port to the front of the site, approved under the application with reference 25/01287/FUL on 27 May 2026. This is substantially the same as the dwelling proposed now as Plot 1.

Amendments to Plans Negotiated

Some amendments to the scheme initially presented under this application were requested as follows:

- Three detached garages, including a triple bay garage with room in the roof on Plot 3, were considered to lead to overdevelopment. The positioning of the garages to Plots 1 and 2 would have resulted in the main views through the site access being dominated by these garages. In response, the garage to plot 1 has been set further back within the curtilage to Plot 1, the garage to Plot 2 has been moved and is now an adjoining garage at the side of the property, and the three bay garage to Plot 3 has been reduced to a two bay garage.
- It was considered that Plots 2 and 3 were arranged in a regimented manner, which was at odds with the variance in position and orientation of other properties within their respective plots along Lanham Lane. In response, both properties have been moved slightly to better reflect the informal nature of the properties along Lanham Lane.
- It was considered that Plot 2 was overly tall and had a particularly bulky roof form. This has been substantially reduced so that, while the ridge and eaves height remain the same, the property now has a hipped roof rather than the previous gabled roof. This results in a much less bulky appearance.

These changes are demonstrated on the revised site plan with reference 8539 D01 C and the Plot 2 elevational drawing with reference 8539 D06 E.

Site Description

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

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

There is a recent extant planning permission on the site for the erection of a new detached dwelling and cart port to the front of the site, approved under the application with reference 25/01287/FUL.

The site itself is surrounded by vegetation of various forms, with some small to medium sized trees along the boundary with Lanham Lane. Access to the site is from its north west

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corner, with views into the site broken up by the vegetation. It should be noted that some vegetation was removed from the site prior to submission of the previous application, and some initial work has now begun in relation to the dwelling approved under that permission.

The existing house, High Land, is set back some distance from the entrance to the site and is positioned at a slightly unusual orientation, facing towards the north. It has received several extensions over the years, including a double garage and first floor extension above. The property features a light brick with tile hanging under pitched roofs.

The closest neighbours are Foxcotte positioned to the north, Little Spinney to the south, and 18 Downside Road at the rear of the site in the east.

Proposal

It is proposed to demolish the existing dwelling on the site and construct 3 new two storey detached dwellings in its place. Each dwelling will also have a garage. Plot 3 is proposed as a Self-Build dwelling.

One dwelling, plot 1, will be positioned towards the front of the site and will be on the same footprint and same design as the dwelling previously approved under the planning application with reference 25/01287/FUL, although the curtilage and garage to this property is changed under this current proposal.

Two dwellings are then proposed towards the rear of the site. One of which, plot 2, will have an adjoining garage, and the other, plot 3, will have a detached double garage with a room above.

Proposed materials differ across each plot, with plot 1 featuring red brick, tile hanging and clay roof tiles, while plot 2 is finished in a white render under clay roof tiles, and plot 3 has a brick finish under slate roof tiles.

Each dwelling will be served by its own package treatment plant to deal with foul drainage.

The site access remains unaltered.

With respect to neighbours; Foxcotte would be approximately 11m north of plot 2, the closest of the proposed new dwellings. 18 Downside Road, to the south east, is circa 30m from the rear elevations of plots 2 & 3. Little Spinney is the nearest dwelling to the position of the proposed new dwellings, being approximately 14m to the south east of plot 1 and 7m south west of plot 3. The proposed garage to plot 3 would be approximately 3.5m from Little Spinney.

Relevant Planning History

25/01287/FUL - The proposal is for the construction of a new two storey detached dwelling at High Land, Lanham Lane. PERMITTED 27th May 2026.

Consultations

Service Lead – Built Environment (Archaeology) -
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- No objection in principle, subject to recommended conditions.

Service Lead – Engineering (Drainage) -

- No response.

Service Lead – Sustainability and Natural Environment (Ecology) –

- Mitigation and enhancement measures set out in the Preliminary Ecological Appraisal should be secured by condition.
- Biodiversity Net Gain Metric – at discharge of conditions stage this will need to include the delay between habitat clearance on site and the start of habitat compensation for the loss.
- Initially requested that the bat survey provided needs to be updated, however, following correspondence with the applicant's ecologist, is now satisfied that the bat survey is sufficient.

Service Lead – Sustainability and Natural Environment (Landscape) –

- Recommends condition to secure landscaping strategy. No objections.

Service Lead – Sustainability and Natural Environment (Trees) –

- No objection subject to recommended conditions.

Hampshire County Council (Highway Authority) –

- States that the standing advice should be followed, although notes that the submitted Transport Statement demonstrates that the development can be accessed safely and would not result in a material impact on the public highway.

Natural England -

- No objection subject to the appropriate mitigation being secured.

Representations:

City of Winchester Trust:

- The application does not qualify as self build
- Harmful scale and design of proposed dwellings

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

- Harm to character of the area
- Overdevelopment/density
- Height & scale of proposed dwellings
- Impacts on neighbour amenity – overshadowing, overlooking, overbearing
- Ecology
- Bat report is outdated
- Self build claim not appropriate
- Biodiversity Net Gain exemption not appropriate
- Sustainability of development/demolition
- No plans for external lighting

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It is noted that other reasons for objection were given, such as the existence of a covenant on site restricting the erection of additional dwellings and the impacts of construction itself. Any covenant that may be in place on the site is not a planning consideration and therefore, while it may restrict the ability for this application to be implemented, it cannot form part of the assessment of the proposal itself. With regard to the impacts on neighbours from construction, such as noise, dust, etc, a construction management plan will be required by condition to ensure appropriate methods of construction are used. Construction will be limited to certain hours of the day. Any unreasonable disturbance from construction work can be reported to the Council's Environmental Protection team.

With regard to objections surrounding the validity of the self-build claim; the applicant has indicated that they have been working with an intended purchaser for plot 3, and that they have had substantial input into the design and layout. The Council has no reason to dispute this. Some comments appear to suggest that the applicant cannot claim self-build status due to being a limited company and not 'persons working with or for individuals or associations of individuals'. In UK legislation 'person' typically includes a natural person as well as a legal person, such as a limited company, unless the specific legislation states otherwise. The Self-build and Custom Housebuilding Act 2015 does not appear to state this.

No Supporting Representations received.

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)

SP1 - Vision and Objectives
SP2 - Spatial Strategy and Development Principles
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
CN8 - Embodied Carbon
D1 - High Quality, well designed and inclusive places
D7 - Development Standards
T1 - Sustainable and Active Transport and Travel
T2 - Parking for New Development
T3 - Promoting Active and Sustainable modes of travel
T4 - Access for new developments
NE1 - Protecting and enhancing Biodiversity and the Natural Environment in the district
NE5 – Biodiversity
NE6 – Flooding, Flood Risk and the Water Environment
NE9 - Landscape Character

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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

HE1 - Historic Environment

HE2 - All heritage assets (both designated and non-designated)

HE5 - Protecting the Significance of Heritage Assets and Mitigating unavoidable harm

HE7 - Non- Designated archaeological assets

H3 - Development within Settlements

Other Relevant Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2024)

1. Introduction
2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
9. Promoting sustainable transport
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

- Appropriate assessment
- Before submitting an application
- Biodiversity net gain
- Climate change
- Community Infrastructure Levy
- Determining a planning application
- Enforcement and post-permission matters
- Environmental Impact Assessment
- Historic environment
- Housing supply and delivery
- Making an application
- Natural environment
- Neighbourhood planning
- Noise
- Plan-making
- Planning obligations
- Renewable and low carbon energy
- Self-build and custom housebuilding
- Strategic environmental assessment and sustainability appraisal
- Transport evidence bases in plan making and decision taking
- Travel Plans, Transport Assessments and Statements
- Tree Preservation Orders and trees in conservation areas
- Use of planning conditions

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- Viability
- Waste
- Water supply, wastewater and water quality

Supplementary Planning Document

High Quality Places (2015)
Landscape Character Assessment (updated 2024)

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.
Nature Emergency Declaration
Position Statement on Nitrate Neutral Development (2020)
Biodiversity Action Plan (2021)

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.

The application site is within the defined settlement boundary of Winchester where the principle of development such as that proposed is acceptable in accordance with Local Plan policy SP2. Overall acceptance is subject to compliance with the Development Plan as a whole and all other material planning considerations which is assessed below.

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

Plot 3 is proposed as a Self-Build dwelling. Winchester City Council has a duty under the self-build and custom housebuilding Act 2015 to keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects. Winchester District (minus the SDNP area) has a significant shortfall in Custom and Self Build homes. Policy H4 of the Local Plan 2040 makes provision for Custom and Self Build homes on larger residential sites of 50 or more dwellings where at least 6% of the dwellings should be for custom and self-build homes. However, the Council recognises that many custom and self-build homes are provided on

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small sites such as this one and Policy H4 is not designed to prevent these smaller sites from coming forward as they form an important part of the supply. The provision of one of the units as a self-build dwelling is therefore acceptable in principle.

Impact on character and appearance of area

The site is quite well screened from the public realm by vegetation along the boundary with Lanham Lane. Views of the new development would be apparent through the site access and glimpsed between the vegetation along the west boundary. Lanham Lane does have a character of substantial vegetation, with trees and shrubs on each side. This partly softens the transition from the urban areas of Weeke, in the east, and the agricultural land that is immediately west of Lanham Lane.

Existing dwellings on the street are varied in design and scale, with more traditional properties such as Little Spinney contrasting with the more modern appearances of Owls Hoot and Foxcotte. Two plots to the south of the application site, the site known as Furze Cottage, has planning permission for a replacement dwelling. Work is currently underway on the new dwelling, which has a modern design.

It is not considered that there is a strong building line along Lanham Lane, although it could be argued that the majority of properties are positioned closer to the road than High Land (and Foxcotte). As such, it is not considered that the construction of a new dwelling closer to Lanham Lane would look out of place in its proposed location.

The building density varies along this part of Lanham Lane. To the north, on the corner with Dean Lane, development is relatively dense. Cranford Cottage and Owls Hoot back onto 55, 57, 59, & 61 Dean Lane, resulting in this corner of Lanham Lane appearing densely developed. Moving south west on Lanham Lane, properties become less dense, with Lanham Cottage and High Land having had particularly spacious plots up until the division of the plot to Lanham Cottage and construction of the property known as Foxcotte. South west of the application site along Lanham Lane, there are five detached dwellings set in generous plots, however, the width of each plot and distance between dwellings themselves varies. Beyond these detached houses is a relatively recent development that involved the erection of 5 new dwellings on the land associated with the dwelling Crabtrees. East of the application site the building density is varied on Downside Road and, further south on Sawyer Close, is much more dense with a number of terraced properties. Overall, therefore, it is considered that there is a wide variety of building density in the surrounding area and the increase in density on the application site would not substantially alter the character of the surrounding area to a degree that would justify refusal of this application. While the three proposed dwellings are likely to be visible from Lanham Lane, it is not considered that the site would appear cramped or overdeveloped.

The proposed design of the new dwelling to the front of the site, plot 1, remains as approved under a previous planning application with reference 25/01287/FUL. It features two forward projecting gables and a central covered porch, not dissimilar to the designs at

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Gemini and Crantock further south on Lanham Lane. Plot 1 is closely comparable in both footprint and height to the existing house to be demolished, High Land.

The two dwellings proposed at the rear of the site, plots 2 & 3, are somewhat more modest, having smaller footprints and simpler hipped roofs, albeit with elements projecting to the rear. Both the dwellings also have single storey elements.

It is considered that the design for all the proposed dwellings incorporate high quality materials and a number of features that add detail and interest to each property. Such features include exposed rafters, traditional windows with soldier course heads, stone window and door surrounds, various brick detailing in the form of string courses, plinths, and quoins.

The submitted landscape strategy plan indicates that it is proposed to retain a number of trees to the front of the site, including the large cypress and sycamore in each corner. Internally, various new trees are proposed. In the east of the site, along the boundary with 18 Downside Road, much of the existing vegetation is proposed. It is considered that this is sufficient to maintain the vegetated character of Lanham Lane and the transition to the more rural environment to the west. The Council's Landscape Officer has been consulted and is in agreement with this, having no objections to the proposal subject to securing more details of soft landscaping via condition.

For the reasons discussed above, it is considered that the proposed development would make a positive contribution to the character of the area and would comply with Local Plan policy D1.

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 2.8km 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.

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

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The works affect Archaeology as the application site is considered to have the potential for archaeological remains, further to cropmark evidence in the vicinity and from recent nearby archaeological investigations which have located Late Roman burials and evidence of probable settlement dating to the Late Iron Age and Roman periods as well as possible Neolithic activity. The site therefore has potential for non-designated archaeological assets.

The following legislation and policies are taken into account in the assessment and determination of this planning and listed building application.

Relevant Legislation

The preservation of a non-designated heritage asset (Policies HE1, HE2, HE4, HE5, H13 of the Local Plan; NPPF (2024) Section 16).

Guidance

The consideration and assessment of due regard is required in relation to the relevant legislation and guidance as outlined within the Archaeology consultation response

Paragraph 212 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Conclusion

The Council's Archaeologist has been consulted regarding the proposed development. They have indicated that the groundworks, landscaping, drainage works etc have the potential to adversely affect buried archaeological remains that may be present below the site. As such, a programme of archaeological work to investigate, record, analyse and subsequently report on the archaeological evidence that may otherwise be destroyed by the proposed development should be secured by planning condition. Subject to the application of such a condition (18), the Archaeologist has no objections to the proposed development.

Therefore, the proposal complies with Local Plan policies HE1, HE2, HE4, HE5 and HE7.

Neighbouring amenity

The adjacent neighbours are those that are considered to have the potential to be negatively impacted by the proposed development. These neighbours are Foxcotte (to the north), 18 Downside Road (east), and Little Spinney (south).

Plot 1:

Foxcotte and 18 Downside Road, are over 40m from the nearest part of the proposed dwelling that is Plot 1, with vegetation providing at least some element of screening.

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Considering this, along with the orientation of these properties and the extent of their own plots, it is not considered that the proposed dwelling would be capable of having a substantial negative impact on their residential amenity to an extent that could justify the refusal of this application.

Little Spinney is the neighbouring dwelling that is most likely to be impacted by Plot 1.

Little Spinney is a chalet style bungalow with a steep pitched roof and two dormer windows in the principal elevation. Its north elevation, facing towards Plot 1 features two roof lights. At ground floor level there are windows facing towards the application site, however, the boundary treatment, a close board fence that has been reinforced with planting within the curtilage of High Land, obscures these. An existing tree, which is to be retained, on the southern boundary of the application site will provide some screening. It is proposed to add an additional two trees along the southern boundary adjacent to Little Spinney which would provide further screening.

Plot 1 is angled to present its rear elevation to the gap between where Plot 3 will be positioned and Little Spinney. Views from the first floor windows of the new dwelling would be of its own rear garden, the north side elevation of Little Spinney, the west elevation of Plot 3 and its garage. Tree planting along the south boundary with Little Spinney and the rear boundary with Plot 3 is proposed to add screening to these views. The north elevation of Little Spinney has minimal windows that would be in view, and these are rooflights presenting at an angle that is unlikely to allow for views into the dwelling, particularly at the distance involved.

Plot 1 is north of Little Spinney and a substantial distance from any other properties, as such, it is not considered that the new dwelling would overshadow any neighbouring dwelling.

Plot 1 is positioned north west of Little Spinney, closer to the outbuilding to Little Spinney, which sits in front of its principal elevation. The outbuilding is itself substantial in size and is 1.5 storeys in height. Plot 1 will be approximately 15m at the closest point of Little Spinney itself. Given this, along with the existing and proposed planting to the southern site boundary, it is not considered that Plot 1 will be harmfully overbearing on the amenity of Little Spinney, to an extent that would justify refusal of the application. Other neighbouring dwellings are a substantial distance away and Plot 1 is therefore not considered to be harmfully overbearing on those dwellings.

Internally, the rear elevation and associated first floor windows, are largely angled towards the garage to Plot 3. There is also intervening screening proposed from hedging and four new trees. The two dwellings will be separated by approximately 23m. It is not, therefore, considered that there would be harmful overlooking between the two dwellings, and neither would they be overbearing upon one another. Plot 2 is circa 30m to the east and, due to the angle of the two buildings, there is not considered to be any harmful overlooking.

Plot 2:

The proposed dwelling will be approximately 1.5m from the northern boundary shared with Foxcotte, and approximately 10m from Foxcotte itself. Plot 2 has a first floor window and second floor rooflight in its northern elevation. Both these windows serve bathrooms and it

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is therefore assumed that the intention would be to use obscure glazing for these windows. This can be secured by condition (23). Views from the front elevation windows would predominantly be towards the long driveway to Foxcotte, whilst from the rear elevation windows it is likely that only the south east corner of Foxcotte's rear garden could be seen. Given that similar views are currently obtainable from the existing property on High Land, and that they are not views to parts of the neighbouring curtilage that would be considered high value, this arrangement is acceptable.

Based on the distance between the two dwellings it is also not considered that Plot 2 would be substantially overbearing on, or cause harmful overshadowing to, Foxcotte.

Plot 2 is not considered to create any harmful views towards Little Spinney and is sufficiently distant so as not to be overbearing or cause overshadowing.

Plot 2 is positioned approximately 17m from the eastern boundary with the neighbour 18 Downside Road. The existing vegetation along this boundary will be retained and reinforced with additional tree planting. Plot 2 is oriented such that any views from the rear would be towards the north end of the curtilage to number 18, and not towards the house itself. Considering the distance, viewing angles, and intervening vegetation, Plot 2 would not have a substantially harmful impact on the privacy of 18 Downside Road to the extent that would justify refusal of the application.

Internally, it is considered that the relationship between Plots 2 & 3 is acceptable. A single storey garage is the closest part of Plot 2 to Plot 3 which reduces any sense of overbearing. Due to the orientation of each property and the lack of side facing windows, there is no harmful effect from overlooking.

Plot 3:

Plot 3 is a substantial distance from Foxcotte, such that it is not considered to have any harmful impacts on its residential amenity.

The rear garden to Plot 3 extends approximately 20m from its rear elevation, and the neighbouring 18 Downside Road is approximately 30m from its rear elevation. Existing vegetation is to be retained and currently provides good screening. It is proposed that this is reinforced with three new trees. Given the distance and intervening screening, it is not considered that Plot 3 would have a substantially negative impact on the privacy of 18 Downside Road to the extent that would justify refusal of the application.

The closest part of Plot 3 to the shared southern boundary with Little Spinney is a single storey element at a distance of approximately 4m. The main two storey part of the house is approximately 7m from the boundary. Plot 3 is set further east than Little Spinney, with the garage to Plot 3 being immediately adjacent to Little Spinney itself. The garage has a room in the roof, served by dormers facing north, away from Little Spinney. It will be approximately 6.5m tall to the ridge line, sloping down to an eave height of around 2.5m. It will be set down slightly compared to the existing ground level, which then slopes up towards Little Spinney. As a result, the garage would appear substantially smaller than Little Spinney and its eaves would appear at a height of around 1.5m when experienced from Ground level within the curtilage to Little Spinney. It is also proposed to introduce hedging and a row of five trees along the boundary line. Having regard to the above it is

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not considered that Plot 3, and its garage, would be substantially overbearing on the residential amenity of Little Spinney.

Internally, Plot 3 would face towards the rear of Plot 1 and the rear of the garage to Plot 1. Intervening screening is proposed in the form of four trees. The two dwellings would be approximately 23m apart. This relationship is considered acceptable. The north facing dormer windows to the first floor room of the garage would face across the entrance and parking area to Plot 3 and, in the distance, over the driveway and parking to Plot 2. Three trees are proposed along the boundary defining the two entrances. As such, these views are considered acceptable. A first floor window and second floor rooflight is proposed in the north elevation of Plot 3, both of which serve bathrooms and can therefore be obscure glazed. This can be secured by condition (23). Some views from first floor windows in the rear elevation of Plot 3 across the rear corner of the garden to Plot 2 are likely to be possible but are considered acceptable.

Therefore, based on the assessment above, the proposal complies with Local Plan policy D1, and would not result in substantial harm to the residential amenity of neighbouring properties to a degree that could be a justifiable reason for refusal of the application.

The proposal includes an air source heat pump (ASHP) for each dwelling. Due to the proposed position of each ASHP, it is considered that only the pump to Plot 3 is close enough to neighbouring dwellings to potentially cause a harmful noise impact. The ASHP to Plot 3 is 9.5m to the closest part of the nearest neighbour, Little Spinney. The ASHP would be considered to have a directivity of 'Q4' based on the MCS planning standards, due to it being floor mounted with one wall directly behind it. Based on the MCS distance reduction calculation, a reduction of 20dB is appropriate for an ASHP with directivity Q4 at a distance of 8m from a receptor. The exact specifications of the ASHP have not been provided, but it is considered that higher quality ASHPs would be capable of meeting the permitted development sound requirement levels, particularly factoring in the distance reduction in sound that would be appropriate in this instance. A condition (24) to any approval will be applied to ensure that details of the proposed ASHPs are provided.

Sustainable Transport

The proposal adds two additional dwellings on an existing residential site accessed from an unclassified road, and does not make any alteration to that existing site access.

Hampshire County Council as Local Highway Authority (LHA) were consulted regarding the application. They confirmed that in this instance the standing advice should be followed, however, noted that the Transport Statement supporting the application demonstrates the proposed development 'can be accessed safely and would not result in a material impact on the public highway'.

The Highway Authority has issued standing advice that states for 'residential development creating from 1 to 5 new dwellings, the LHA only wishes to be directly consulted where the development proposals will be accessed directly from an A, B, or C classification of road.' Further, the guidance states 'For applications for which the standing advice applies, where a new point of access is created or an existing one amended, the local planning authority shall consult the LHA on this specific aspect of the application.' As such, there is no requirement to consult the LHA and the standing advice is followed.

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The proposal provides sufficient parking for upwards of three vehicles at each of the dwellings. The driveway and turning areas are considered sufficient to allow for vehicles to manoeuvre such that they can enter and exit the site, and their individual driveways, in a forward gear.

The recommended planning condition relating to vehicles turning will be included on any permission given (Condition 17). As such, it is considered that the proposal meets the standing advice of the Highways Authority.

The proposal for the new dwellings includes bin storage within 10m of the site access, allowing for bins to be easily moved for roadside collection.

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

Based on the above, it is considered that the proposals are in accordance with policies T1, T2, T3, and T4 of the Local Plan.

Ecology and Biodiversity

A Preliminary Ecological Appraisal and a Bat Survey Report was submitted in support of this application. The Council's Ecologist has been consulted in regard to these reports and the proposal generally.

The Preliminary Ecological Appraisal concludes that the site is unsuitable for Great Crested Newts and reptiles, but notes that the existing house provides day roosts for various bat species. The Appraisal recommends enhancement measures in the form of swift bricks and the planting of vegetation that is a native species. The Bat Survey details the specific locations of the day roosts and recommends enhancement measures in the form of bat boxes.

A licence from Natural England will therefore be required, and mitigation in the form of bat boxes is proposed.

The Council's Ecologist initially queried the validity of the Bat Survey, as the emergence surveys referenced within were undertaken in May – June 2024. The applicant's Ecologist highlighted that CIEEM guidance states that bat survey data is likely valid for 12-18 months, and if survey data is 18 months to 3 years old an Ecologist should visit the site and review the validity of the data. The applicant's Ecologist confirmed they visited the site on 10 April and 27 November 2025. The Council's Ecologist has therefore accepted the validity of the Bat Survey.

Subsequently, the Council's Ecologist has confirmed that they have no objection subject to a condition (4 & 5) to secure the various enhancement measures listed above.

An Arboricultural Report has also been submitted in support of the application. The report indicates that of sixteen individual trees, groups and hedges, four category C trees/groups are proposed to be removed along with two category U trees.

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The Council's Tree Officer has been consulted regarding the proposal and has confirmed no objections subject to the addition of recommended conditions (20) to secure appropriate protection measures for the remaining trees on site.

Biodiversity Net Gain

The proposal falls under the Biodiversity Net Gain requirements and will need to demonstrate a gain of at least 10% above the baseline habitat assessed prior to development.

As identified under the previous application, 25/01287/FUL, a number of trees and vegetation was removed from site before submission of that application. This was considered habitat degradation and therefore had to be included in the baseline assessment of the ecology on site. This is the case again under this application.

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

It is noted that the applicant has claimed a partial exemption from Biodiversity Net Gain, as relates to the self-build plot number 3. The applicant's Ecologist has noted that the habitat degradation has not been reduced for the self-build element, as it would be hard to justify what portion of the degradation occurred within the proposed area of Plot 3. As such, by excluding Plot 3 on the basis of it being self-build, the baseline value is only reduced by a small amount for the vegetated garden. As this self-build exemption is being claimed, a legal agreement will be required to secure that Plot 3 remains a self-build property.

Government guidance is that, while planning applications should establish the baseline of biodiversity that exists on site and a strategy for delivering a 10% net gain, the delivery of this net gain is to occur after planning permission has been granted with details such as the Biodiversity Gain Plan and Habitat Management and Monitoring Plan to be approved prior to works commencing. In these circumstances the application has met these requirements and conditions are therefore attached (condition 16) to ensure the submission of a suitable Biodiversity Gain Plan.

Nutrient Neutrality

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

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

[Appropriate Assessment](#)

Foul drainage for the existing dwelling on site is served by a septic tank. Calculations submitted in support of the application indicate that the existing sewage system results in a nutrient discharge of 9.92kg/TN/yr and 1.22kg/TP/yr.

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As part of the proposal each dwelling will be serviced by its own package treatment plant. The package treatment plants are considered an upgrade to the septic tank and result in a reduction of nutrient discharge in comparison.

The total nitrogen load discharged from all three dwellings and their respective package treatment plants is calculated to be 2.05kg/TN/yr, which represents a net reduction of 7.87kg/TN/yr entering the Solent catchment area. Similarly, the calculated total phosphate load from the three proposed dwellings is 0.04kg/TP/yr, representing a reduction of 1.18kg/TP/yr entering the Solent catchment.

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

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

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

Landscape

A Landscape Strategy Plan has been submitted in support of the application. This plan indicates the proposed tree and hedge planting as well as the existing trees and vegetation to be retained. The Councils' Landscape Officer has been consulted regarding the proposal and has confirmed that they have no concerns or objections regarding the development, considering that it integrates acceptably with the landscape character of the area, that being large detached dwellings within generous plots that are landscaped and have a strong vegetation structure. The Officer has welcomed the Landscape Strategy Plan and has requested that a detailed soft landscape scheme is secured by condition. It is noted, however, that a Landscape Strategy Plan and Landscape Maintenance and Monitoring Plan has already been provided, and therefore it is considered sufficient to secure the implementation and adherence to these documents by condition (7), rather than request details again. It is, however, considered that full details of hard landscaping should be secured by condition (6).

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The Landscape Officer also raised some queries regarding the proposed SuDS, however, this will be considered under the wider drainage strategy which is secured by its own condition.

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, and CN4.

An Energy & Carbon Statement has been submitted in support of the application which states the performance of the proposed development in comparison to the standards that are set out within policies CN3 & CN4.

Policy CN3 states that new residential development should achieve a space heating demand of < 15kWh/sqm/yr, a total energy consumption of < 35kWh/sqm/yr, and that 100% of the energy consumption that is required by the dwellings is provided by renewable energy sources.

The Energy & Carbon Statement indicates that the space heating demand for Plot 1 would be 20.6kWh/sqm/yr and for Plots 2 & 3 would be 22.4kWh/sqm/yr. The overall energy use intensity is shown to be lower than the standard required by CN3, being 24.3kWh/sqm/yr for Plot 1 and 27.2kWh/sqm/yr for Plots 2 & 3.

Each property will have solar panels, and these are intended to provide the renewable energy for each dwelling. Based on the number of panels each dwelling is able to accommodate, the percentage of energy demand supplied by renewables for Plots 1, 2, & 3 is 72%, 113%, and 95% respectively. The average across the entire site would therefore be 93%.

Overall, therefore, the development would provide an improvement on the required energy intensity standard but a slight shortfall in the space heating and renewable energy provision standards. It is noted that while the space heating figures are higher than the standard from policy CN3, they are a substantial betterment than the level required for compliance with Part L of the Building Regulations. Having also had regard to the fact that this application was submitted on 17 March 2026, prior to the formal adoption of the Local Plan on the 24 March 2026, it is considered that the level of energy efficiency achieved by the proposed development is acceptable in this instance.

Conditions 9 to 12 secure that the development is built in accordance with the Energy & Carbon Statement.

The proposal is therefore considered acceptable with regard to Local Plan policies CN1, CN2, CN3, and CN4.

Sustainable Drainage

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

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

Full pre-commencement drainage conditions (Condition 13) for foul and surface water drainage are proposed should the application be approved.

Therefore, the proposal complies with policy NE6 of the Local Plan.

Phasing

It is proposed to build out the development in four phases, beginning with enabling works and then progressing through Plots 1 to 3 in order. This is demonstrated by the phasing plan with reference D01 D and is secured by condition 25.

Equality

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

Planning Balance and Conclusion

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

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

Planning Obligations/Agreements

In seeking the planning obligation and financial contributions for the installation and ongoing maintenance & monitoring of the proposed package treatment plant, along with the requirement to secure Plot 3 as a genuine self-build, the Local Planning Authority has had regard to the tests laid down in paragraph 58 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

Approval subject to the following legal agreement and conditions:

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Legal Agreement – Heads of Terms

1. Details of the PTP mitigation package addressing the additional nutrient input arising from the development
2. Consideration of the PTP maintenance and monitoring plan;
3. Implementation and adherence to the agreed PTP plan;
4. Monitoring of the performance of the PTP in perpetuity;
5. Step-in rights for the LPA if the PTP is failing, allowing the LPA to remedy and recover costs;
6. Requirement to replace with a PTP of equal or higher standard at end of life or as otherwise required;
7. Requirement to undertake the development of Plot 3 in accordance with the Self-build and Custom Housebuilding Act 2015.

Conditions

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

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

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

Site Plan as Proposed D01 E
Phasing Plan D01 D
Plot 1 Ground & First Floor Plan 8539 D02 C
Plot 1 Elevations 8539 D03 C
Plot 2 Ground and First Floor Plans 8539 D04 C
Plot 2 Second Floor and Roof Plans 8539 D05 D
Plot 2 Elevations 8539 D06 E
Plot 3 Ground and First Floor Plan 8539 D07 C
Plot 3 Second Floor and Roof Plan 8539 D08 E
Plot 3 Elevations 8539 D09 E
Plot 1 Garage Plans and Elevations 8539 D10 B
Plot 3 Garage Plans 8539 D11 B
Plot 3 Garage Elevations 8539 D12 B
Site Sections 8539 D13 D
Landscape Strategy Plan 226-101 Rev B

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

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

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

4. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within the Preliminary Ecological Appraisal dated March 2026, written by Emma Bennett of Pro Vision and submitted to the Local Planning Authority on 17 March 2026. This shall include the required mitigation as set out in section 5 and the recommended enhancements summarised at paragraph 5.16 of the above-mentioned report. Thereafter, the enhancement measures shall be permanently maintained and retained in accordance with the approved details.

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

5. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within the Bat Survey Report dated February 2026, prepared by Stark Ecology Ltd and submitted to the Local Planning Authority on 17 March 2026. This shall include the required mitigation and enhancements as set out on pages 19-21 of the above-mentioned report. Thereafter, the enhancement measures shall be permanently maintained and retained in accordance with the approved details.

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

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

Hard Landscape Works:

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

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- Other vehicle and pedestrian access and circulation areas;
- Minor artefacts and structures (e.g. street furniture, play equipment, refuse or other storage units, signs, lighting etc);
- Proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc, including lines, manholes, supports etc.):

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

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

7. Soft landscaping works shall be undertaken in accordance with the Landscape Strategy Plan 226-101 Rev B, and shall be monitored and maintained in accordance with the Landscape Maintenance Plan dated March 2026 and prepared by TGD Landscape Ltd. The soft landscaping works will be undertaken prior to first occupation of the dwellings hereby permitted, and the monitoring and maintenance procedures set out within the Landscape Maintenance Plan will be followed for the lifetime of the development.

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

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

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

9. The development hereby permitted will be undertaken in accordance with, and to the energy efficiency standards detailed within, the Energy & Carbon Statement 16.06.26 V1 submitted to the Council on 17 June 2026.

Reason: To ensure a sustainable form of development and to ensure the development achieves net zero operational carbon, in accordance with WDLP policy CN3.

10. Prior to the occupation of the development hereby permitted, a post construction energy performance report demonstrating that the development has, at minimum, met the energy efficiency standards detailed within, the Energy & Carbon Statement

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16.06.26 V1 shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development and to ensure the development achieves net zero operational carbon, in accordance with WDLP policy CN3.

11. Prior to the commencement of the development hereby permitted, detailed information demonstrating that the development will achieve no more than 100 Litres per person per day predicted water use in the form of a 'design stage' water efficiency calculator, shall be submitted to, and approved in writing, by the Local Planning Authority.

Reason: To ensure a sustainable form of development and in accordance with WDLP Policy CN4.

12. Prior to the occupation of the dwellings hereby permitted, detailed information in the form of a BRE water calculator demonstrating that all homes shall achieve water use of no more than 100 litres per person per day shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development and in accordance with WDLP Policy CN4.

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

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

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

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

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

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

Only the approved details shall be implemented during the construction period.

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

16. Development may not be begun on site unless:

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

In making an application to discharge the biodiversity gain condition the following information shall be provided:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

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

17. Prior to occupation the area shown on the approved plan for the parking and turning of vehicles shall be provided and reserved for these purposes at all times.

Reason: To ensure that vehicles parked on the site are able to enter and leave in forward gear.

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

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

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

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

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

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

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available.

20. Works shall be carried out in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- 241621- AIA 5 written by Barrie Draper on behalf of Eco Urban Arboricultural, and the following measures:

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

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activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

b) No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- 241621- AIA 5.

c) Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- 241621- AIA 5 written by Barrie Draper on behalf of Eco Urban Arboricultural and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

d) The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with Arboricultural Implications Assessment and Method Statement Ref:- 241621- AIA 5 and Tree Protection Plan ref:- Eco 8 Tree Issues for High Land Lanham Lane Winchester. Telephone Tree Officer. 01962 848360.

e) A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree officer. Telephone 01962 848360.

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

21. Following the removal of the trees hereby consented, new trees shall be planted as shown in the Landscape Strategy Plan ref:- 226 - 101 Rev B provided by TGD Landscape Ltd, within a period of 2 years. Planting of the new trees shall take place during the planting season between November and February.

The precise size, species, location or period of time will be agreed in writing with the council.

If, within a period of 2 years from the date of planting, the tree(s) (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted at the same place.

Reason: To maintain the tree cover and the contribution that trees make to the character and amenity of the area

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22. 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, AA, B, C, D and E of Part 1; or by Class A of Part 2; 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.

23. The first and second floor windows in the north elevations of both Plots 2 and 3 hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, and the glazing shall thereafter be retained in this condition at all times.

Reason: To protect the amenity and privacy of the adjoining residential properties.

24. Prior to the occupation of the dwellings hereby approved, full manufacturer specifications of the air source heat pumps to be installed will be submitted to the Local Planning Authority, together with calculations to demonstrate compliance with the MCS 020 standards. The air source heat pumps will be installed and retained thereafter in accordance with these details.

Reason: To protect the amenity of the adjoining residential properties.

25. The development hereby approved shall be implemented in accordance with the approved Phasing plan reference D01 D.

Reason: To secure the phasing of, and an orderly pattern to, the development.

Informatives

1. In accordance with paragraph 39 of the NPPF (December 2024), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

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

Local Plan 2020 – 2040: SP1, SP2, CN1, CN2, CN3, CN4, CN8, D1, D7, T1, T2, T3, T4, NE1, NE5, NE6, NE9, NE16, HE1, HE2, HE5, HE7, H3

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Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NPPF Section 16

3. This permission is granted for the following reasons:

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

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

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

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

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

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

7. As the dwelling 'Plot 3' hereby approved was exempt from Biodiversity Net Gain due to being a self-build/custom build property, it therefore needs to be constructed as a self-build/custom build property, as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 and occupied only as a self-build/custom build dwelling for a period of at least 3 years from date of the first occupation of the dwelling. In the event that the dwelling is not built and occupied for a minimum 3 years as a self-build/custom build property, then the development would be in breach of the statutory biodiversity gain condition which sets a Biodiversity Net Gain of 10% for developments as a mandatory requirement in England under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and the Environment Act 2021. In these circumstances the applicant is advised that a revised planning application for the development would be required to

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include a biodiversity gain plan providing details how the 10% biodiversity net gain will be achieved.

8. IMPORTANT - Biodiversity Gain Condition

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

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

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

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

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

9. Replacement of trees is enforceable in law and failure to comply with the condition could result in the issue of a tree replacement notice and prosecution if the local planning authority believes that the criteria of the condition has not been met.

Trees make an important contribution to the character of the landscape, creating a green environment which we all enjoy. Winchester City Council encourages the planting of new trees to replace any that are felled in order to maintain the positive benefits that trees provide.