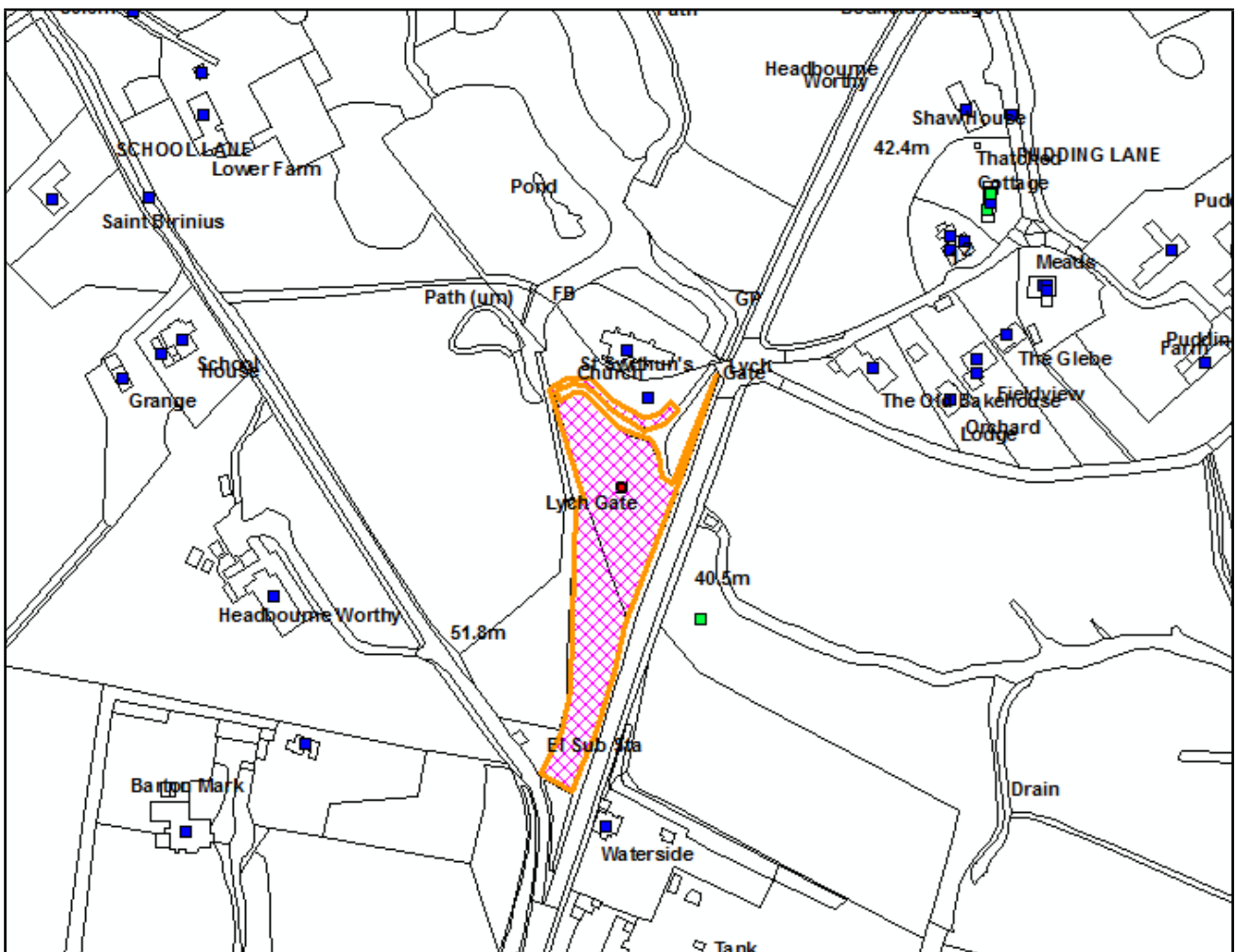


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Case No: 18/01978/FUL
Proposal Description: Car Park with landscaping and new access from Worthy Road.
Address: Land At St Swithuns Church, London Road, Headbourne Worthy, Hampshire.
Parish, or Ward if within Winchester City: Headbourne Worthy
Applicants Name: PCC of Headbourne Worthy and & Incumbent of the Benefice of Headbourne Worthy and Kings Worthy.
Case Officer: Catherine Watson
Date Valid: 20 August 2018
Recommendation: Application Permitted



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General Comments

Application is reported to Committee due to the number of objections received, contrary to the officer's recommendation to permit.

Site Description

The site is within the curtilage of St Swithun's Church, Headbourne Worthy, which measures a little under 2 hectares in area. The proposed car park site is situated to the south-west of St Swithun's Church, a Grade I listed building. The semi-rural setting of the church comprises of primarily mown grassland and a mix of ruderal vegetation and woodland areas, bordered by chalk streams, which create an island site for the church. There is an extended graveyard beyond the lych gate and on the hillside leading up to School Lane.

Proposal

There is currently no on-site parking and therefore the proposal seeks to create an on-site car park comprising 25 spaces, to be situated to the south of the church and with an access onto London Road (B3047).

Relevant Planning History

None relevant.

Consultations

Engineers: Drainage:

Earlier correspondence with the EA shows that they have confirmed the acceptability of draining through the permeable surfacing material.

Engineers: Highways:

The proposal will allow a safe onsite car park to be provided and avoid the necessity of visitors having to park in a field across the road.

Head of Historic Environment:

Although it is considered that the introduction of a car park so close to the church would be harmful to its verdant and island setting, the Historic Environment teams advice has been taken with steps to mitigate the harm. Proposed increased and replacement planting should help to mitigate some of the harm and although there will be glimpsed views of parked cars, it is considered that the 'less than significant harm' is outweighed by the public benefit of cars being able to park in a safe and permanent space for church visitors and community activities. Alternative sites have been explored and are not viable.

Should consent be granted, a condition requiring appropriate planting and its retention in perpetuity should be imposed.

Further correspondence with the applicant has confirmed that there is no intention to install lighting or gated access within the site however, a condition to restrict lighting and

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security barriers is considered to be expedient, as is a condition for securing the details and colour of the car park surfacing materials.

Head of Landscape:

The proposals have taken on board previous advice and represent a thoughtful and considered approach to the car park design. Although there is potential for harm to landscape character, ecology, trees and the setting of the listed building, the proposed landscape scheme will ensure the impact is minimised and as the landscape framework grows, the car park will settle in well. A landscape condition requiring full details of hard landscape, soft landscape and boundary treatments will be required.

Head of Landscape: Tree Officer:

This is a much better revised layout and specification and can be supported, subject to the inclusion of relevant conditions to ensure the trees are protected and retained.

Historic Environment: Archaeology:

The site lies within an area of high archaeological potential however, the proposal is not considered to affect any buried archaeological remains. It is therefore not considered that the impact of the limited groundworks would warrant conditions securing archaeological mitigation work.

Environment Agency:

No objection however, the development and associated works on site will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 for any structures in, under, over or within 8m of the top of the bank of the River Itchen, designated as a main river. Proposed fencing should allow for the free flowing of water due to the nature of flood maps within the site and it is also recommended that no ground raising occurs within the proposed site. Although digging will occur within the 8m buffer zone of the River Itchen, it is recommended that no machinery encroaches within the 8m buffer zone around the river.

Natural England:

As submitted, the application could have significant potential impacts on the River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). It could also have impacts upon the St Swithun's Site of importance for Nature Conservation (SINC). Further information is required in order to determine the significance of these impacts and the scope for mitigation. These include:

- A Construction Environment Management Plan (CEMP), which should be submitted to and approved in writing by the Local Planning Authority, in liaison with Natural England. The CEMP shall identify the steps and procedures to be implemented to avoid or mitigate impacts on species and habitats.
- A comprehensive compensation package that addresses impacts upon the SINC and outlines how net gain for biodiversity will be achieved.

The LPA has not submitted a Habitats Regulations Assessment (HRA) with the consultation request. The advice of Natural England is that the proposal is not necessary for the management of the European site. The LPA should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment

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stage where significant effects cannot be ruled out. An HRA Screening Matrix and Appropriate Assessment Statement has been completed by the LPA.

Provided the car park is constructed from permeable materials, Natural England has no concerns regarding water quality impacts on the SAC and SSSI during the operational phase. There is the concern that the construction phase of the proposals may adversely impact the protected sites via poor water quality.

To manage the potential harm, a CEMP should be submitted to and approved in writing by the district ecologist. This should address: storage of construction materials/chemicals and equipment; dust suppression; chemical and/or fuel run-off from construction into nearby watercourse(s); waste disposal; noise/visual/vibrational impacts. The CEMP shall be adhered to at all times (secured by an appropriately worded condition).

If the LPA is minded to grant permission, the applicant is required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, the authority has taken account of Natural England's advice. A further period of 21 working days must be allowed before the operation can commence.

With regards to the St Swithun's Site of Importance for Nature Conservation (SINC) and Biodiversity Net Gain, it is recommended that a comprehensive compensation package should be agreed if the requirements for biodiversity net gain as set out in the NPPF paras. 8, 118, 170, 174 and 175d are to be met. The comprehensive compensation package should expand in more detail measures already proposed in the Protected Species & SINC Survey & Mitigation Report. Such a compensation package should be agreed by the Council's ecologist officer and provided they are satisfied with this, no further consultation with Natural England on this aspect is required.

Concerning Protected Landscapes, the site is close to a nationally designated landscape (the SDNP). Relevant national and local policies should be utilised to take this into consideration.

A public right of way lies within the proposal site and consideration should be given to any potential impact on this.

It is recommended to use Natural England's standing advice with regards to Protected Species.

Historic England:

The Grade I listed church of St Swithun dates from the 11th century and was added to and altered in the following centuries. There are many significant features, notably on the west end of the nave where there is the relief of a rood, of international importance. The church was restored in the Victorian period. The setting of the church is very rural and enclosed and the proposed site contains saplings and shrubs, surrounded by mature trees and bounded by a stream to the north, the road to the east and a path to the churchyard extension to the west.

The proposal would have no direct physical impact on the listed church building and the key consideration is the impact upon the setting of the church. The character of the setting is enclosed, intimate and rural with the trees largely screening the nearby road

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from view. The introduction of a car park and parked cars is likely to have a harmful impact on the rural and undeveloped setting of the church, primarily from the intrusion of parked cars into the views to and from the church. The proposal shows that the applicant has sought to avoid or mitigate this harm as far as is practical by retaining and introducing screening in the form of planting.

The low level of harm that would remain would be outweighed by the broader heritage benefit of supporting the sustainable use of the church as a place of worship and other community activities. This would help fund the ongoing repair and maintenance of the Grade I building.

South Downs National Park Authority:

The proximity of the application site to the River Itchen SSSI/SAC (a large portion of which is located within the National Park) is of particular significance. Further information should be sought from the applicant in order to determine the potential impact upon the SSSI/SAC.

External lighting of the site should be minimised and carefully designed to ensure there is no harm to wildlife or the dark night skies of the National Park.

Hampshire County Council Countryside Services:

The rights of way in the vicinity are Headbourne Worthy Footpaths 7 and 8. It is likely that vehicles using the car park will have limited impact upon the users of the right of way.

The car park may have an impact upon the amenity value of Footpath 8 and therefore, it is requested that the car park is set back several metres from the footpath, appropriate planting and/or fencing could also be used to ensure that a pleasant aesthetic is maintained for the enjoyment of users.

Representations:

Headbourne Worthy Parish Council

- The PC supports this application, recognising ongoing traffic concerns and the safety of pedestrians visiting the church. The PC looks forward to the continued use of this building by the community.

7 letters received objecting to the application for the following reasons:

- It is not clear how the cars will be screened;
- It will destroy the rural setting of the church;
- It is overdevelopment in a protected rural area;
- 25 spaces is excessive for a very small congregation;
- The addition of car parking in this area will make the current traffic problems on Worthy Road more difficult;
- Harmful impact upon the wider landscape character;
- Harm to biodiversity and ecology, which is particularly sensitive given the SAC and SSSI designations of the River Itchen.

8 letters of support received.

- The current parking arrangement involves crossing a dangerous, busy road;

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- Care has been taken to ensure there is no adverse impact upon the church and its setting;
- It will encourage people to visit the church;
- The current parking situation is permissive and permission to use the land could be withdrawn at any time.

2 letters of general comment received:

- It is not clear what the impact will be on ecology, landscape and visual amenity;
- Concerns for the impact on the SAC and SSSI and further information is required before the proposal could be accepted.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

DS1, MTRA1, MTRA3, CP6, CP13, CP16, CP17, CP18, CP19, CP20.

Winchester Local Plan Part 1 – Development Management and Site Allocations.

DM1, DM15, DM16, DM17, DM18, DM23, DM26, DM29

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Other Planning guidance

Winchester District Landscape Character Assessment

High Quality Places SPD

Planning Considerations

Principle of development

The principle of the provision of a car park on land associated with St Swithun's Church is considered to be acceptable, subject to compliance with relevant planning policy, which is discussed below.

Policy DS1 states that *"The Local Planning Authority will support development in the Market Towns and Rural Area that "promotes the vitality and viability of communities, maintains their rural character and individual settlement identity".*

As well as maintaining the use of the church as a place of worship, the proposed car park has been designed to accommodate other visitors, such as tourists and wedding parties, which would bring in additional income that could be utilised to repair and maintain the Grade I listed church and its environs, thereby helping to maintain the "rural character and individual settlement identity". The proposal is therefore considered to comply with this policy.

Policy MTRA1 advises that *"The spatial planning vision for the Market Towns and Rural Area will be achieved through:-*

- *The retention and improvement of ...community facilities, including expansion at an appropriate level in keeping with the location and the community they serve...*
- *Development proposals which maintain and enhance important local character and built or natural features and retain settlement identity".*

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The church and its curtilage are an important community facility. It is considered that the proposed car park will enhance the community aspect of the church and the proposals have been carefully considered to ensure that they fit into the landscape and ensure that the natural features of the site are protected and enhanced.

Policy MTRA4 states that “...*expansion or redevelopment of existing buildings... to meet an operational need, provided development is proportionate to the nature and scale of the site, location and the setting.*”

Although a church building does not always necessitate a countryside setting, St Swithuns has been on this site for 900 years and forms a crucial and important part of the countryside setting of this part of Headbourne Worthy. The church has a declining number of worshippers and the maintenance and repair costs for the building are significant. It can therefore be considered that an onsite car park is an “operational need” to keep the church viable, allowing it to diversify its activities and attract more visitors, whilst still maintaining the core rural character of the site. The proposed car park is considered to be proportionate to the size of the site and has been carefully designed to cause minimal visual intrusion and mitigate/reduce environmental impacts.

Policy CP6 advises “*The Local Planning Authority will support proposals for the development of new, extended or improved facilities and services in accordance with the development strategies set out in Policies WT1, SH1 and MTRA1*”.

The church is considered to be a local facility and the provision of an onsite car park will encourage visitors to the church and its environs, thereby helping to preserve the ongoing use of the church.

Policy CP13 states that “*New development...should demonstrate that:*

- *An analysis of the constraints and opportunities of the site and its surroundings have informed the principles of design and how the detailed design responds positively to its...local context;*
- *The accompanying landscape framework has been developed to enhance both the natural and built environment and maximise the potential to improve local biodiversity...*”

Investigations were undertaken by the applicant into the most appropriate location for the car park within the site and through this, the proposed site was identified. The site is situated at a lower level than the surrounding ground and the verdant nature of the boundaries ensure that the car park will be as unobtrusive as possible. No lighting is proposed and therefore, the car park would not be largely visible within the wider landscape and the South Downs National Park. Careful consideration has been given to addressing the ecological constraints, including international designations, of the site and ensuring that trees and habitats are protected and enhanced.

Policy CP18 states that *The Local Planning Authority will retain the generally open and undeveloped nature of the following defined settlement gap:*

- *Winchester - Kings Worthy/Headbourne Worthy.*

Within these areas, only development that does not physically or visually diminish the gap will be allowed”.

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The proposed car park will be heavily screened and it is not proposed to use any lighting in this area (to be controlled by condition). Therefore, the site will not be widely visible within the gap. A new access is proposed onto the B3047 however, given the topography of the site, adequate visibility splays can be provided with minimal need for cutting back existing undergrowth and no loss of trees. Therefore, the impact of the new access on the gap is not considered to be significantly harmful.

Policy DM1 states that *Outside defined and non-defined settlement boundaries "...countryside policies will apply and only development appropriate to a countryside location will be permitted..."*

As discussed above, the development is considered to be appropriate for the countryside location.

Design/layout

In order to keep the church in active use and avoid it falling into disrepair, the PCC considers that an on-site car park is necessary. Currently, there is permissive parking in a field on the opposite side of London Road. Permission for the use of this space could be withdrawn by the landowner at any time so this is not considered to be a sustainable solution. Further, the location of the current parking requires churchgoers to cross the busy London Road, which has a 40mph speed limit but frequently sees vehicles travelling in excess of this speed. The congregation is aging and there is a significant risk to safety in crossing the road. Other churchgoers park in nearby roads, including Pudding Lane and School Lane. These roads are relatively narrow and their use for church parking is not ideal.

The proposal is for a 25 space carpark to the south of the site, to include a Cellweb gravel reinforced surface. A detailed landscape scheme is proposed to enhance the existing tree and undergrowth cover. The layout takes into account important trees on site and is situated in a relatively sunken area, so as to appear as unobtrusive as possible.

Impact on character of area and neighbouring property

The church is situated in a relatively secluded location and therefore, it is not considered that there would be any significant impact upon neighbouring properties.

Whilst the addition of a car park in this location would be somewhat incongruous, it is considered that given the substantial level of screening within and along the boundaries of the site, including at the site of the new access and which is to be supplemented by further planting, significantly reduce the level of visual harm caused by the proposed development. The use of appropriate hardstanding will also mitigate the visual impact.

It is considered that the wider benefits of the addition of the car park, as discussed above, outweigh and limit the potential harm to the character of the area.

Policy DM15 states that *"Developments should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area. Proposals which accord with the Development Plan will be permitted where they conserve or enhance:*

- *Open areas and green spaces that contribute to the special qualities of the setting of buildings, including heritage assets;*

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- *Trees, hedgerows, water features and corridors which contribute to local distinctiveness.”*

The proposal has taken full consideration of the characteristics and constraints of the site in relation to impact on landscape character, ecology, setting of the heritage asset and other key features within the site. Care has been taken to ensure that any impact is minimised however, where the proposal is considered to have the potential to cause harm to any of these characteristics, guidance has been sought from the appropriate bodies and mitigation measures will be implemented. These will be further controlled by appropriately worded conditions.

Policy CP20 states that *“The Local Planning Authority...will support new development which recognises, protects and enhances the District’s distinctive landscape and heritage assets and their settings. These may be designated or undesignated and include natural and manmade assets associated with existing landscape and townscape character (including listed buildings). Particular emphasis should be given to conserving:*

- *Recognised built form and designed or natural landscapes that include features and elements of natural beauty, cultural or historic importance;*
- *Local distinctiveness, especially in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting”.*

Consultees have detailed the special historic and natural/ecological characteristics of the site, encompassing the listed church, River Itchen tributary and its environs. Detailed information has been provided by the applicant with regards to impact upon the heritage and natural assets and how this impact will be overcome or mitigated. Certain details have been approved by the consultees upfront (e.g. the CEMP) and appropriately worded conditions will be used to ensure that all outstanding matters relating to the potential impact of the development upon the heritage and landscape character are covered (conditions 3, 8, 9 & 10).

Policy DM23 states that *“Outside defined settlement boundaries, development proposals which accord with the Development Plan will be permitted where they do not have an unacceptable effect on the rural character of the area, by means of visual intrusion, the introduction of incongruous features, the destruction of locally characteristic rural assets, or by impacts on the tranquillity of the environment.*

- *Visual – intrusion should be minimised, including the effect on...key features in the landscape, or heritage assets.*
- *Physical – developments...should avoid the loss of key features or the introduction of elements that detract from the special qualities of the place.*
- *Tranquillity – developments should not have an unacceptable effect on the rural tranquillity of the area, including the introduction of lighting or noise occurring as a result of the development, taking account of the relative remoteness and tranquillity of the location. New lighting will generally not be permitted in unlit areas...*

Developments should not detract from the enjoyment of the countryside from the public realm or public rights of way.

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The volume and type of traffic generated by the development will be assessed along with the ability of rural roads to accept increased levels of traffic without alterations that would harm their rural character.”

A Landscape and Visual Site Appraisal has been submitted by the applicant, which identifies the implications and a landscape strategy for the proposed new car park.

The recommendations made in this report include the reinforcement of the wet woodland character and understorey habitat to provide low level screening of the car park; enhancement of understorey vegetation with plug planted wildflowers; river restoration techniques; long term tree management to the eastern edge; a sensitive car parking surfacing material. The WCC Landscape Officer has confirmed that the proposed landscape scheme is acceptable, but a landscape condition providing full details of this will be required (condition 3).

Landscape / Trees

There are a number of mature trees on site which have the potential to be impacted by the development. Previous schemes have been objected to by the Council's Tree Officer and the applicant has revised the scheme to take his comments into consideration.

Policy DM16 states that *“Development which accords with the Development Plan will be permitted provided it:*

- *Responds positively to the character, appearance and variety of the local environment, within and surrounding the site, in terms of its design, scale and layout;*
- *Uses an appropriate ratio between hard and soft landscaping, having regard to the character of the area;*
- *Uses high quality materials that are attractive and durable and appropriate to the context and proposed design”.*

The surfacing of the proposed car park will be permeable, allowing surface water to slowly soak away and not overload the river system. The surfacing is appropriate with regards to reducing harmful impact to the many trees, which are an important characteristic of the site. The design of the car parking spaces has been amended, taking into account the Council's Tree Officer's earlier comments, to minimise harm to these same trees. The Tree Officer is now happy with the revised proposals and any works to and around trees on site will be carefully monitored by the use of conditions – nos 5, 6 and 7.

Highways/Parking

Both the applicant's transport consultant and the Council's Highways Engineer have identified that the scheme presents a significant improvement to the safety of those using the church and having to cross the busy London Road. The new access and visibility splays are considered to be inline with relevant technical guidance and it is not considered that the access represents a danger to the safety of other highway users.

Policy DM18 states that *Development will be permitted which accords with the Development plan and:*

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- *Provides parking in accordance with relevant standards and the needs of the development...;*
- *Makes provision for access to the site in accordance with any highways requirements on the grounds of safety, including the provision of gateways, visibility splays, access to adopted highways and accompanying signage that may be required;*
- *Incorporates parking provision and vehicular access as part of the overall design of the scheme, including hard and soft landscaping, signage and lighting that is both necessary and of a high quality design, taking account of the character of the surrounding area.”*

A Transport Statement was submitted with the application which details the implications of the development on highway safety. The Council's Highways Engineer has confirmed that the proposal is acceptable in this regard. An extensive landscaping scheme is proposed and there will be no lighting on site.

The Statement does not give details of expected traffic movements within, to and from the car park. The Council's Highways Engineer did not raise the lack of a traffic survey as something needed addressing. Although it is expected that there will be a small increase in traffic associated with the church, much of this will be associated with activities commensurate to the use of the church, namely weddings, christenings and funerals. These already take place at the church but given the lack of on site parking, vehicles are forced to park in side roads which is not desirable. Further, the small size of the church precludes very large gatherings from taking place and therefore it is not considered that any increase in traffic would be so significant as to cause substantial harm.

No lighting is proposed for the car park.

ROW and SDNP

The wider church site is bordered by two Public Rights of Way (PROW) – Nos 7 and 8. Hampshire County Council Countryside Services team were consulted and advised that the proposal would have a limited impact upon these footpaths however, they advised that the car park should be set away from the footpath by several metres. Given the constrained nature of the site, it is not possible to set it away by a significant distance however, only a relatively small section of footpath runs adjacent and appropriate landscaping will be included, along with the existing vegetation and trees, to further mitigate any potential harm to the amenity of these footpaths.

Policy CP19 states that *“Development within and adjoining the South Downs National Park which would have a significant detrimental impact to the rural character and setting of settlements and the landscape should not be permitted unless it can be demonstrated that the proposal is of overriding national importance, or its impact can be mitigated”*.

The SDNPA was consulted and advised that the designated land and watercourse, along with the impact on protected species in and around the site, need to be considered and protected.

External lighting should be minimised to ensure there is no harm to wildlife or the dark night skies of the National Park. It is not proposed to include any lighting in the scheme.

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Further afield, the South Downs National Park is situated approx. 0.5km to the east of the site. The National Park Authority was consulted as part of this application but did not raise any specific concerns with regards to views into the site from the SDNP. Along the boundary to the Park runs the St Swithun's Way – a long distance footpath. The site is heavily screened both from within and by tree cover along the opposite side of London Road. Whilst there may be views toward the site from this footpath, the sunken nature of the car park and screening are considered to limit these.

Policy 26 is concerned with the potential to uncover buried archaeological remains on site. The Council's Archaeologist has stated that although the site lies in an area of high archaeological potential, the nature of the proposed works is not considered to be likely to cause any significant harm to any archaeology and has therefore not recommended any conditions requiring surveying or recording on the site.

Ecology.

It is acknowledged that the site is of high ecological sensitivity and that stringent criteria will need to be met and adhered to in order for the proposal to be acceptable. This includes compliance with national and international regulations, monitored by Natural England and the Environment Agency. Part of the required information and mitigation strategy has been submitted prior to determination however, more information will be required at post-determination stage in order for works to commence. This will be controlled by condition and the measures implemented should be adhered to in perpetuity.

Policy CP16 states that "The Local Planning Authority will support development which maintains, protects and enhances biodiversity across the District and has regard to:

- Protecting sites of international, European and national importance, and local nature conservation sites, from inappropriate development;
- Supporting habitats that are important to maintain the integrity of European sites;
- New development will be required to avoid adverse impacts, or if unavoidable ensure that impacts are appropriately mitigated, with compensation measures used only as a last resort. Development proposals will only be supported if the benefits of the development clearly outweigh the harm to the habitat and/or species".

The site includes the River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), as well as the St Swithuns Site of Importance for Nature Conservation (SINC).

The national and international significance of these designations mean that stringent criteria are applied when assessing any development that may have an adverse impact. Accordingly, Natural England was consulted as the statutory body and subsequently, further information was requested, including a CEMP. This gives detailed information as to how potential harm from construction activities will be dealt with, including to the watercourse and wildlife. This CEMP has been accepted by Natural England.

The WCC Ecologist has also accepted the CEMP and advised that implementation of the recommendations within it, along with the ecological report and mitigation report, including lighting details, should be conditioned. As is required by law, a Habitats Regulation Assessment Screening Matrix and Appropriate Assessment Statement has been completed by the LPA.

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Natural England has accepted the Appropriate Assessment submitted by the LPA and concurs with the assessment conclusions. Provided the CEMP and SINC comprehensive compensation package are fully implemented and appropriate conditions or obligations are attached to the planning permission to secure these measures, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the integrity of the European site(s).

Heritage/Archaeological Issues.

It has already been identified above that there are no significant archaeological implications of the proposal.

Policy DM29 states that *“Works which would cause an unacceptable level of harm to the...setting of heritage assets...will only be permissible...in the case of higher grade heritage assets in wholly exceptional circumstances”*. Both the Council’s Historic Environment Officer and Historic England were consulted with regards to the proposal, which is within the wider curtilage of the Grade I listed church. They have confirmed that given the nature of development, relative distance of the car park from the church and the use of appropriate screening, the benefit of ensuring that the listed building is retained in good condition and for the purpose for which it was intended, as well as a wider community use for religious and community events, outweigh any potential harm to the setting of the listed building.

Drainage and Flooding

Policy CP17 states that “The Local Planning Authority will support development which...

- Does not cause unacceptable deterioration to water quality or have an unacceptable impact on water quality (including drinking water supplies) by:-
- Protecting surface water and groundwater through suitable pollution prevention measures;”

The Environment Agency was consulted and raised no objection, but as was noted on the surface flood water map of the area, they advised the applicant that proposed fencing should allow for the free flowing of water and that no ground raising should occur within the site proposed. Necessary permits are to be obtained from the EA before works commence.

Recommendation

Application Permitted subject to the following condition(s):

01. 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).

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

Location Plan Dwg No DD189L03 received 20.08.2019

Block Plan Dwg No DD189L04 received 20.08.2018

SINC Location Map received 14.12.2018

Engineering Details Golpa Gravel Reinforcement Dwg No 501-01B received 20.08.2018

Engineering Details Proposed Car Park Dwg No 502-01C received 20.08.2018

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Engineering Details Standards Details Dwg No 501-02A received 20.08.2018

Illustrative Landscape Sections Dwg No DD189L02 received 20.08.2018

Tree Constraints Plan Dwg No GH1752 – 1a received 20.08.2018

Tree Protection plan Dwg No GH1752 – 1b received 20.08.2018

Landscape Proposal Plan Dwg No DD189L01 received 20.08.2018

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

Pre commencement conditions

03. No development shall take place until full details of both hard and soft landscape works, based on strategic level plan DD189L01 by Deacon Design, 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:

- All boundary treatment (any fencing should allow for the free flowing of water, as per the recommendation of the Environment Agency);
- Hard surfacing materials for the car park (including a sample). All hard surfacing materials shall be permeable;
- existing and proposed finished levels or contours;
- means of enclosure, including any retaining structures;
- other vehicle and pedestrian access;

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 in accordance with the approved designs.

04. Detailed proposals for the disposal of 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 commencement of the development hereby permitted.

Reason: To ensure satisfactory provision of surface water drainage.

05. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference Gh1752.1 written by Gwydion's tree consultancy and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

06. Inspection of fencing

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 Gh1752.1. Telephone 01962 848403

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

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07. Construction of special engineering under tree canopies

The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848403

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

08. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within St Swithun's Church Car Park Protected Species & SINC Survey & Mitigation Report prepared by EPR and dated 10 August 2018 and Construction and Environmental Management Plan prepared by Ecological Planning & Research Ltd and Escher Silverman and dated 16 November 2018. The measures shall be implemented in full in accordance with the approved details and shall be monitored on an ongoing basis. If there is any variation to the CEMP during the construction process, the LPA shall be notified immediately and any variation shall be submitted to and agreed in writing by the LPA before being implemented. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To ensure that the ecological value of the site is not adversely impacted upon by the development.

09. No lighting of any kind shall be installed at any time within the car park hereby permitted within the redline area outlined in the location plan, without the prior approval in writing of the Local Planning Authority.

Reason: To protect the amenities of the wildlife and protected species on site and maintain the dark skies character of the area.

10. No security barriers of any kind shall be installed at any time within the car park hereby permitted within the redline area outlined in the location plan, without the approval in writing of the Local Planning Authority.

Reason: To protect the rural visual amenity of the wider area, in relation to the setting of the Grade I listed church building and associated curtilage.

11. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. 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, unless the Local Planning Authority gives its written consent to any variation.

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

12. Development shall cease on site if, during any stage of the works, potential contamination is encountered which has not been previously identified, unless otherwise

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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.

Informatives:

1.

In accordance with paragraph 38 of the NPPF (July 2018), 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.

In this instance a site meeting was carried out with the applicant.

2.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA3, CP6, CP13, CP16, CP17, CP18, CP19, CP20.

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18, DM23, DM26, DM29

High Quality Places SPD

Winchester District Landscape Character Assessment

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

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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 Practise

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

6.

Flood Risk Activity Permit

Please note that this development and the associated works on the site will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Itchen, designated as a main river (as identified in the applicant's drawing numbered 502-01). This type of permit is called a 'Flood Risk Activity Permit', and was formerly known as a 'Flood Defence Consent'.

Further information can be found here:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The Applicant should email psohiow@environment-agency.gov.uk with the proposal to commence the process for obtaining a permit.

7.

The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

The applicant/ agent/ developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/ confirmed by this notice.

Address is: Southern Gas Networks Plc, SGN Plant Location Team, 95 Kilbirnie Street, Glasgow, G5 8JD

Tel: 01414 184093 OR 0845 0703497

Search online at:

www.linesearchbeforeyoudig.co.uk

SGN personnel will contact you accordingly.