

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 23/00667/FUL
Proposal Description: Erection of new 4 bedroom dwellinghouse. Demolition of an existing garage.
Address: Painters Fields House, 3 Grafton Road Winchester Hampshire SO23 9SX
Parish, or Ward if within Winchester City: Southwick and Wickham Ward
Applicants Name: Mr Peter Sykes
Case Officer: Cameron Taylor
Date Valid: 13 March 2023
Recommendation: Permit
Pre Application Advice Yes

Link to Planning Documents

[Link to page – enter in reference number 23/00667/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
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Reasons for Recommendation

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The development is recommended for permission as it is considered that it will not have a significant adverse impact upon the character and appearance of the site and wider area, while it will preserve the significance of the setting of the nearby listed buildings and conservation area. It will also not result in any harm to neighbouring residential amenity and will make adequate provision to ensure Nutrient Neutrality. The proposal therefore complies with policies CP13, CP16 and CP20 of the LPP1 and DM15, DM16, DM17, DM27 and DM29 of the LPP2.

General Comments

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

Amendments to Plans Negotiated

None

Site Description

The site is located to the south of Grafton Road within the Winchester Conservation Area, with mature trees within the site along the northern boundary. The site infills a section of a large side garden to No. 3 Grafton Road to the west of the existing dwelling. The site adjoins residential properties to the west and south which consist of large two-storey dwellings, with a variety of built forms and external appearances within the area including varied boundary treatments.

Proposal

The proposal is for a two-storey detached dwelling within the land to the east of the existing dwelling No.3 Grafton Road. Parking for the existing dwelling and the proposed dwelling will be located to the front of the dwellings.

Relevant Planning History

No relevant previous planning history

Consultations

Service Lead – Built Environment (Historic Environment) –

- No objections

Service Lead – Engineering (Drainage) -

- No objection subject to conditions

Service Lead – Sustainability and Natural Environment (Trees) –

- No objection subject to conditions

Hampshire County Council- Highways-

- No objection to proposal

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Natural England -

- No Objection subject to securing nutrient mitigation

Southern Water -

- No Objection, a formal application for connection to the public sewer is required.

Representations:

City of Winchester Trust:

“Although the Trust notes the pre-application advice, it was felt there were too many unresolved issues in this application for a new dwelling in a sensitive Conservation Area. Trees in the garden of no 3 are a major visual feature in Grafton Road, to which no reference is made in the pre-application advice set out in the planning statement. Street photomontages should be submitted to show the before and after impact of the loss of trees on the street scene as this has significant bearing upon the nature and character of the neighbourhood.

It was also felt there was insufficient building information provided. Sections were missing, including the proposed deep basement of which there was nothing apart from a plan. Until these and other related issues are re-examined and a full and complete revised proposal is presented, the Trust objects to this application in its present form.”

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

- Character and appearance
 - o Over development
 - o Overscale for location and site
 - o Out of context
 - o Density out of character with locality
 - o Parking provisions will impact frontal appearance along street
 - o Loss of part of the existing front boundary wall will harm the street scene
 - o No architectural merit of the proposed dwelling
- Heritage assets
 - o Adverse impact upon the conservation area and nearby listed buildings
- Residential Amenity impacts
 - o Overlooking and loss of privacy
 - 2 windows on the west side of the property
 - o Overbearing impact to No. 5
 - o Overshadowing impacts
- Highways
 - o Length of parking provided not suitable for larger cars
 - o No allowance for off-street parking
 - o Dropped kerbs create unwanted hazards for pedestrians
 - o Increased strain on parking as visitors will use on-street parking
- Trees
 - o Loss of highly visible trees
 - o Loss of trees reduces wildlife habitat
- Drainage

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- Increase rainwater runoff will be increased and passed onto the mains sewers
- Sustainability
 - Provision of a chimney encourages the burning of fossil fuels
- Non-material
 - Oversized basement
 - Management of the site

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

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

Section 16 Conserving and enhancing the historic environment

National Planning Practice Guidance

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Planning Obligations

Use of planning conditions

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

DS1 - Development Strategy and Principles

MTRA1 - Market Towns & Rural Area

CP2 - Housing Provision and Mix

CP11 - Sustainable Low and Zero Carbon Built Development

CP13 - High Quality Design

CP16 – Biodiversity

CP17 – Flooding, Flood Risk and the Water Environment

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

DM1 - Location of New Development

DM2 – Dwelling Sizes

DM15 - Local Distinctiveness

DM16- Site Design Criteria

DM17- Site Development Principles

DM18- Access and Parking

DM27- Development in Conservation Areas

DM28- Demolition in Conservation Area

DM29- Heritage Assets

Supplementary Planning Document

National Design Guide 2019

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Car Parking Standards (2008)
High Quality Places SPD (2015)

Other relevant documents

Winchester District Local Plan 2020-2040: Regulation 19 Consultation
Climate and Nature Emergency Declaration
Carbon Neutrality Action Plan 2020 - 2030
Statement of Community Involvement 2018 and 2020

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Regulation 19 Local Plan, as now agreed by Full Council, can be given appropriate and increasing weight in the assessment of development proposals in advance of Examination and Adoption as set out in paragraph 49 of the NPPF

The application is situated within the settlement boundary of Winchester. In this area, the principle of additional residential dwellings is considered acceptable in principle subject to compliance with the development plan as a whole and material planning considerations.

The principle of development is therefore considered acceptable.

Assessment under 2017 EIA Regulations

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

Impact on character and appearance of area

The proposed site is situated within the large garden space to the west of No. 3 Grafton Road, with the proposed dwelling infilling the gap between No.3 and No.5 Grafton Road. The area itself is characterised by its residential nature that consists of two-storey detached, link-detached and some semi-detached dwellings with a variety of built forms within the immediate vicinity of the site. Levels change slightly rising from the east to west. There are various architectural approaches and external finishes within the street and wider area, with a mixture of facing brick and render.

The proposed dwelling is situated adjacent to No. 3 and No. 5 Grafton Road and will be readily visible from the public realm of Grafton Road. The proposals include the removal of 3 mature trees to accommodate the development.

The proposed dwelling fronts Grafton Road which reflects the character of the majority of the dwellings along Grafton Road. Its overall scale, appearance and external finish will match that of No.3 Grafton Road. The proposed dwelling and its residential curtilage

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including the amenity area, and that of No. 3, will be in-keeping with those within Grafton Road and the wider area. The proposal requires the removal of 4 trees for the construction of the dwelling. 3 of these are situated further into the site and are not considered to contribute significantly to the visual amenity of the street scene. It is appreciated that the common yew tree to be removed is along the boundary fronting Grafton Road, however there are 2 additional mature trees being retained. Therefore the proposals will retain an acceptable level of greenery and would not have a significant adverse impact on the character of the street scene.

The dwelling follows the pattern of development along the street with the dwellings rising in height to the west although the proposed dwelling would have a ridge height slightly higher than No.5 (adjacent to the west) as a result of its built form. This proposed siting slightly above the ridge height of No.5 is considered acceptable as the dwelling matches the overall scale of No.3 and sits below that of No.7, therefore still following the general levels change across Grafton Road.

Therefore, given the proposed dwelling matches the scale, appearance and external finish of No.3 and the overall scale and curtilage of other surrounding properties, it fits into the residential character of the area and is not considered to lead to a significant adverse impact upon the character and appearance of the area and the street scene.

The proposed dwelling would cause the need for the parking for No. 3 to be relocated and 2 parking spaces will be moved to the northwest corner of the new defined curtilage of this existing dwelling. The new dwelling would have the same arrangement with 2 parking spaces located to the front. This provides 2 allocated spaces per dwelling and is typical of parking arrangement along the street. It therefore considered in keeping with the character and appearance of the area.

The proposal includes the removal of an existing timber close board fence that runs along the northern boundary. This is proposed to be replaced with a lower level brick boundary wall with iron fencing along the top, with openings for the driveways. This matches the principal boundary treatment of No.3 and is considered to enhance the character of the street scene through the removal of the close board fence.

Therefore, given the overall scale, appearance and external finish of the proposed dwelling, along with the other associated works including the boundary wall and driveway it is considered that the proposal will respond positively to the character and appearance of the site and surrounding area. The proposal therefore complies with policy DM15 and DM16 of the Local Plan Part 2 as well as CP13 of the Local Plan Part 1 and the council's supplementary planning guidance 'High Quality Places.'

Development affecting the South Downs National Park

The application site is located over 500m from the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 that great weight should be given to conserving and enhancing landscape and scenic beauty in

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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.

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

Historic Environment

The works include the erection of a new dwelling within the Winchester Conservation Area, with a row of listed buildings located on the northern side of Grafton Road which consists of 5 listed buildings from No.2-6 Grafton Road and No. 29 Christchurch Road.

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

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

Guidance

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

As such due regard has been given to Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990) which confirms that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Listed Building/Structure. Case law has established that where an authority finds that a development proposal would harm the setting of a listed building, it must give that harm “considerable importance and weight”.

The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets. Paragraph 205 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 206 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. Policy CP20 of WDLPP1 and

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Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

The nearby listed buildings include 2-6 Grafton Road and 29 Christchurch Road which are all Grade II listed buildings and located to the north of Grafton Road. The application site forms part of the setting of the listed building given its proximity.

The erection of the dwelling and its associated curtilage and works fall within close proximity to the listed buildings. As noted above, the proposed dwelling has a scale and appearance in-keeping to the character and appearance of the area. The loss of the tree to the front is not considered to impact the setting of the listed buildings as 2 existing mature trees are retained. Therefore, given the design of the proposals and nature of the surrounding area and the development, the proposal preserves the significance of the setting of the nearby listed buildings.

Based upon the above assessment it is considered that the proposal will not result in harm to the significance of the setting and historic interest of the listed building, Section 16 para 205 of the NPPF (2023), S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CP20 of WDLPP1 and DM29 of WDLPP2 and the historic environment section of the Planning Practice Guidance

The application is within the Christchurch Road Conservation Area. As noted previously, the erection of the dwelling and associated elements area considered respond to the immediate street scene with a scale and appearance in-keeping to the site and character of the surrounding area.

Based upon the above assessment, it is considered that the proposal will preserve the character or appearance of the conservation area in accordance (S.72 P (LBCA) Act 1990; and in accordance with Policies DM27 & DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

Neighbouring amenity

The site has neighbouring properties to its east, south and western boundaries with the north elevation fronting Grafton Road.

No. 3 Grafton Road is the property along the eastern boundary of the site, with the proposed dwelling and No. 3 retaining a gap between the boundaries. Given the nature of the development and surrounding area, along with the orientation of the site and neighbouring property, an adverse overbearing and overshadowing impact is not identified. The proposed dwelling includes glazing at a first floor level, but these windows to the side elevations serve en-suite bathrooms which would be obscure glazed (condition 4). The glazing to the rear elevation does not provide direct views to No.3. Therefore, in these circumstances, the proposal is not considered to have an adverse overlooking impact to No.3.

No. 5 Grafton Road is located along the western boundary of the site. The proposal retains a gap to the boundary. Whilst the dwelling does project beyond the rear elevation of No. 5 it does not project a large amount. Therefore given the location and orientation of the site and proposed dwelling, an adverse overbearing and overshadowing impact is not

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identified. The glazing to the first floor of the proposed dwelling includes en-suite windows to the side elevations which are conditioned to be obscure glazed (condition 4), while the glazing to the rear of the dwelling is not directed towards the neighbouring property. Therefore an adverse overlooking impact is not identified.

Along the southern boundary of site are No. 19 Edgar Road and No. 33 Christchurch Road. The proposed dwelling is around 13 metres away from the southern boundary with planting retained to the rear of the site. The dwelling at No. 33 Christchurch Road is around 15.8 metres from the boundary to the proposed dwelling and No. 19 Edgar Road over 25 metres. Therefore, given the intervening distance an adverse overbearing and overshadowing impact is not identified. The proposal does include glazing at a first floor level to the rear, however given the distance to the rear boundary and nature of the area an adverse overlooking impact is not identified.

In summary, the proposed development will not have an adverse impact on neighbouring residential amenity and therefore complies with policy DM17 of the LPP2.

Sustainable Transport

The proposal would cause the loss of the garage and parking to No. 3 Grafton Road, however it includes the formation of a new driveway to No. 3 which can accommodate 2 allocated spaces. The proposed dwelling then also includes the formation of a driveway to the front, the driveway has ample space to accommodate 2 parking spaces. A dwelling with 4 or more bedrooms requires 3 allocated spaces to meet the existing parking standards. However, given the original dwelling and proposed site are located within a sustainable location with good public transport links and pedestrian access to city centre, it is considered to that the scheme provides adequate parking for the existing and proposed dwelling.

The formation of the new accesses for the existing and proposed dwellings are onto an unclassified road. It has been demonstrated that suitable visibility splays can be achieved, this is secured through condition 5. Despite the creation of an additional access for a new dwelling the location and nature of the area, the additional traffic generation can be absorbed into the existing area. Therefore, it is not considered that the proposal would lead to an adverse impact upon parking or highways safety in the area. The proposal therefore complies with policy DM18 of the Local Plan Part 2.

Ecology and Biodiversity

The site of the development is within an existing residential garden which does contain some trees and planting, however it is residential garden. The proposal does include the removal of 3 trees, these 2 of these are located centrally within the site and are noted as low quality trees. There is additional planting proposed which includes the planting of 5 additional trees, smaller trees and shrubs along the backwall. Therefore, given the residential nature of the area there is considered to be a low possibility of adverse ecological impacts arising from the development. In addition to this, additional planting proposed which will mitigate the loss of trees. While it is considered that the proposal is unlikely to have a significant adverse impact upon ecology, in the interests of improving biodiversity, condition 6 is attached seeking biodiversity enhancement plan. The proposal therefore complies with policy CP16 of the Local Plan Part 1.

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This application was submitted prior to the adoption of biodiversity net gain and therefore this is not applicable under this application.

Appropriate Assessment.

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a negative contribution of 0.34 Kg/TN/year and 0.13/Kg/TP/year is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The applicant has proposed a greywater recycling system that reduces the input to the connected wastewater treatment works. It works through the reduction of the output wastewater from the existing and proposed dwelling that enter the system and as such create a reduction in nutrient levels. Natural England are satisfied with this approach subject to the securing of monitoring and maintenance of the system. The applicant has indicated that are willing to enter into the relevant legal agreements and pay the fees that would cover the monitoring and maintenance. Officers are therefore satisfied that the proposed mitigation scheme can be secured through the use of the Grampian condition to obtain the legal agreement and the associated fees prior to the occupation of the dwelling.

The authority's appropriate assessment is that the application coupled with a greywater treatment mitigation package secured by way of a Section 106 agreement under the Grampian condition and would result in nutrient neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework (2023).

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. Condition 7 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with, with Condition 8 for the as built stage data prior to occupation.

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

Sustainable Drainage

The site is situated within a floodzone 1 which has a very low risk of fluvial flooding and low risk of pluvial flooding. It is noted the SuDs approach of drainage hierarchy should be used for the drainage of surface water. To ensure a suitable and sustainable drainage

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system, pre-commencement condition 9 is attached regarding details for surface water drainage to ensure prior to the commencement of development acceptable drainage details are in place.

Therefore subject to condition 9 the proposal complies with policy DM17 of the LPP2.

Trees

The trees within the site are protected as a result of the site being located within a Conservation Area. The proposal involves the loss of a number of trees within the site along with development that falls within the root protection zones of a number of trees. It is appreciated that the trees along the northern boundary contribute to the positive character of the area. The proposal retains 2 mature trees to the front of the site. A tree being removed along the front boundary is causing damage to the existing boundary wall. Therefore while there is the loss of this tree the retention of the other 2 mature trees preserve the character of the area. Additional trees are also proposed and secured under condition 18.

An arboricultural impact assessment and method statement has been submitted as part of this application, the methodology set out in this report is considered to mitigate the potential harm upon the retained trees. This is secured through conditions 11-18.

Overall, it is considered that the proposed development is acceptable in relation to trees and the proposal will therefore comply with policy DM24.

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 principle of development is acceptable given it is a new dwelling within an existing urban and residential area. Officers are satisfied that the nutrient mitigation can be achieved through the proposed greywater system. The proposed dwelling is considered to respect the qualities, features and characteristics that contribute to the distinctiveness of the local area and will preserve the significance of the conservation area and nearby listed buildings. It will not have an adverse impact upon the amenity of the neighbouring properties. The proposed dwelling will not lead to adverse impact upon highways safety, nor will it have a harmful impact upon trees on site and wider area.

The development is therefore considered to be acceptable in and in accordance with local plan policies.

Recommendation

Permit subject to the following conditions:

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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:

- Proposed Site Plan- Dwg No. 201 Rev 01- Received 02.08.2024
- Proposed Site Block Plan- Dwg No. 202 Rev 01- Received 13.03.2023
- Proposed Plans 1/2- Dwg No. 210 Rev 01- Received 13.03.2023
- Proposed Plans 2/2- Dwg No. 211 Rev 01- Received 13.03.2023
- Proposed Elevations- Dwg No. 301 Rev 01- Received 13.03.2023
- Existing & Proposed Street Elevation- Dwg No. 311 Rev 01- Received 13.03.2023

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

3. No development shall be carried out above ground floor slab level until a schedule of external materials finishes and labelled samples to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Following approval of those details, the works shall be carried out and thereafter retained in strict accordance with the details so approved. The details to be submitted shall include:

- Brickwork, including quoins, window and door reveals and other specials
- roofing, including eaves and verges
- rainwater goods, including their colour, material, size and profile
- windows and external doors, including drawings at an appropriate scale, showing the relationship of the window/door to surrounding building fabric

Reason: Further information is required because insufficient information was submitted in this regard to ensure preservation of the character and appearance of the conservation area, in accordance with Section 16 of the National Planning Policy Framework 2024, Policy CP20 of the Winchester District Joint Core Strategy 2013, and Policy DM27 of the Winchester District Local Plan Part 2 2017.

4. The first floor windows in the east and west elevations of the dwelling 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.

5. No development shall start on site until the visibility splays as shown on the approved plans Visibility Splays- Dwg No. 6163/002. The lines of sight splays shown on the approved plans shall be kept free of any obstruction adjacent to the carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety.

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6. A Biodiversity Mitigation and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The details must include the use of boundary treatment gaps, swift boxes and other enhancement measures. The use hereby permitted shall not commence until the approved details have been implemented. Development must then continue in accordance with the approved details.

Reason: To accord with the Policy CP16 of the Winchester District Local Plan Part.

7. Prior to the commencement of the development hereby permitted, detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of a 'design stage' Standard Assessment Procedure (SAP) calculation and a water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

8. Prior to the occupation of the development hereby permitted, detailed information demonstrating that the development has achieved a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of an 'as built' Standard Assessment Procedure (SAP) calculation and a water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

9. The development hereby permitted shall NOT BE OCCUPIED until:

- a. A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
- b. A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c. All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason; To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1

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10. 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 development commences.

Development must continue in accordance with the approved details.

Reason: To ensure the drainage of the site is fully considered and is in compliance with policy DM17 of the LPP2.

11. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- CBA 11615v2 dated November 2024, written by Stefan Rose of CBA Trees and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

12. 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 the Arboricultural Implications Assessment and Method Statement Ref:- CBA 11615v2 dated November 2024 and Tree Protection Plan, Ref:- 11615.02A TPP Telephone Tree Officer. 01962 848360

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

13. The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing and specialist foundations under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848360.

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

14. 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:- CBA 11615v2 dated November 2024.

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

15. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement Ref:- CBA 11615v2 dated November 2024: shall be agreed in writing to the Local Planning Authority.

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

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

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

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

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

18. Following the removal of the trees hereby consented, new trees shall be planted as shown in the landscape plan provided, ref:- 2119_Proposed Site Plan and proposed trees and shrubs document provided by PLM Studio and 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, or in accordance with any variation for which the local planning authority give their written consent.

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

19. No development shall be carried out above ground floor slab level until a schedule of hard and soft landscaping, including boundary treatments to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Following approval of those details, the works shall be carried out and thereafter retained in strict accordance with the details so approved. The details to be submitted shall include:

- Front boundary wall and railings
- Boundaries between properties
- Paving, gravel or hard surfacing

Reason: Further information is required because insufficient information was submitted in this regard to ensure preservation of the character and appearance of the conservation area, in accordance with Section 16 of the National Planning Policy Framework 2024, Policy CP20 of the Winchester District Joint Core Strategy 2013, and Policy DM27 of the Winchester District Local Plan Part 2 2017.

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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 Part 1 - Joint Core Strategy: DS1, CP11, CP13, CP16, CP20, MTRA1

Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18, DM24, DM27, DM29

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. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

6. 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 Practise

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

7. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements (as set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the

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Biodiversity Gain Requirements (Exemptions) Regulations 2024) are considered to apply as follows:

- The application for planning permission was made before 12 February 2024.