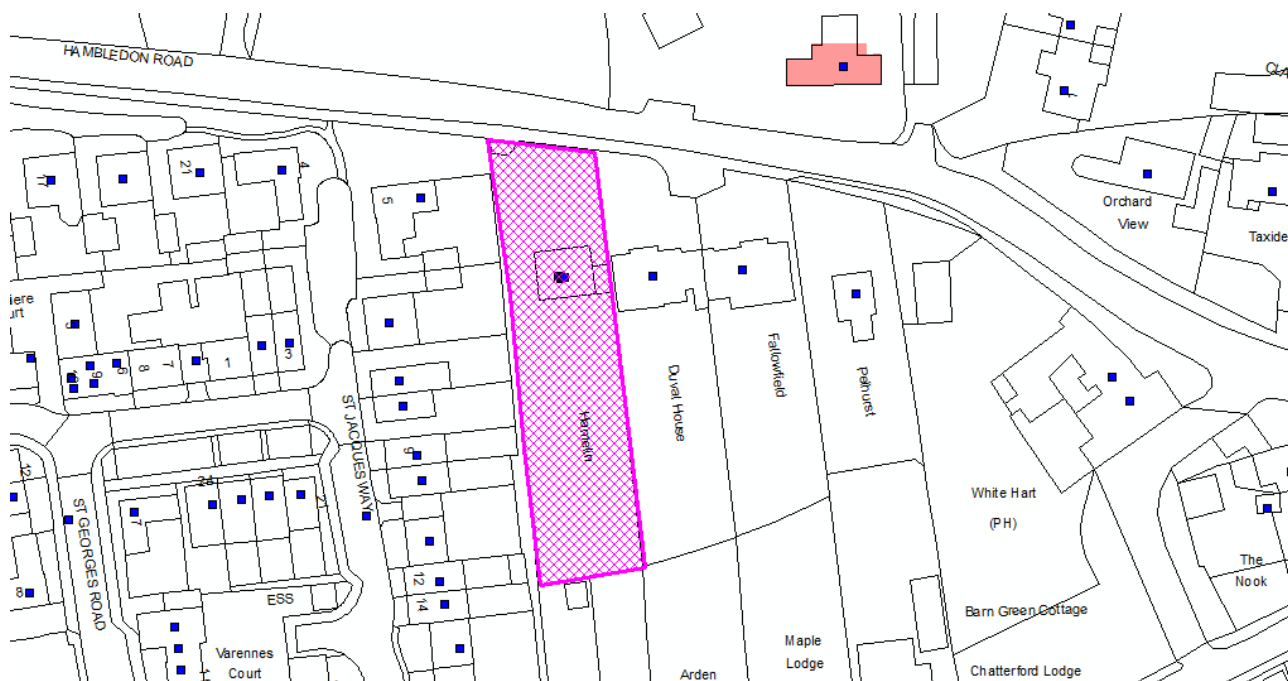


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 25/00197/FUL  
**Proposal Description:** Variation of Condition 3 of Planning Consent 19/01573/FUL to allow the premises to be used for supported living for adults with learning difficulties (within Use Class C2)  
**Address:** Hamelin, Hambledon Road, Denmead, Waterlooville, Hampshire PO7 6NG  
**Parish, or Ward if within Winchester City:** Denmead Parish Council  
**Applicants Name:** Mr B Crowcroft  
**Case Officer:** Liz Young  
**Date Valid:** 7 February 2025  
**Recommendation:** PERMIT  
**Pre Application Advice** No

**Link to Planning Documents**

25/00197/FUL  
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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**Reasons for Recommendation**

The application is recommended for permission because it is in accordance with the Development Strategy and relates to an existing community establishment in a sustainable location. The proposal would enable the existing use to continue to serve local needs and community wellbeing and would therefore contribute to Development Plan objectives of

**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

maintaining and improving the service roles of larger villages. The proposal would not give rise to unacceptably harmful impacts upon the local environment or highway safety.

### **General Comments**

Denmead Parish Council's request for the application to be determined by Planning Committee, based upon material planning considerations is shown in Appendix 1.

### **Amendments to Plans Negotiated**

None

### **Site Description**

The application site comprises a former dwelling which is now in use as a residential care home. This use was originally established after 2019 (consent 19/01573/FUL) and comprises a community care home for a maximum of 5 residents aged between 6 and 18. These 5 residents are assisted in their daily lives by a number of care staff, but with no staff permanently resident on site. There is space for 6 cars to be parked (off the highway) in front of the building.

Following the granting of the 2019 planning consent, permission was then granted for the erection of a single storey building within the rear garden to accommodate ancillary staff overnight in connection with the existing Care home (consent 20/02104/FUL). This consent has been implemented, and the outbuilding is now in place. More recently, consent was granted to increase the number of residents from 5 to 6 (reference 24/00902/FUL). This application did not involve any external changes to the existing buildings on site and only changes to internal layout were required to provide the necessary accommodation.

The site is adjoined on all sides by residential dwellings and is accessed from Hambledon Road (a B classified highway) which bounds the north boundary of the site. The site lies within the built-up area / settlement boundary of Denmead.

### **Proposal**

Consent is now sought to vary Condition 3 of Planning Consent 19/01573/FUL. Condition 3 currently reads as follows:

*The premises shall be used for a residential care home for young persons and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).*

*Reason: To restrict the use of the premises in the interests of highway safety and local amenity.*

The Applicant wishes to vary the condition to read as follows:

**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

*The premises shall be used as a residential care home for supported living for adults (aged between 18 - 65) with learning difficulties and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).*

Information which has been submitted in support of the application states that the Applicants have recently purchased the property as part of the acquisition of Acorns (Southern) Ltd. There is stated to be a significant and unmet demand for adult placements at the Applicant's other properties and there have been requests to place multiple people (adults) at once. This has resulted in the application property now being occupied by adults (and so this application is retrospective). Given that this demand is set to remain high, the intention is for the adults to remain at the application property, thus bringing about the need to vary the condition.

### **Relevant Planning History**

19/01573/FUL - Change of use of existing dwelling (C3 Use Class) into residential care home (C2 Use Class) incorporating the erection of a 2 storey side extension and a single storey rear extension and a new first floor extension and new roof. PERMITTED 19th December 2019.

20/02104/FUL - Erection of a single storey outbuilding within rear garden for ancillary staff and residential use in connection with the existing Care Home (C2) use. PERMITTED 21st February 2022.

24/00902/FUL - Application Reference Number: 20/02104/FUL Date of Decision: 21/02/2022.

Condition Number(s): Condition No.1

Conditions(s) Variation:

To increase the number of residents from 5 to 6 within the existing C2 Care Home due to a need for this type of accommodation in the area.

To increase the number of residents from 5 to 6 within the existing C2 Care Home.  
PERMITTED 21st August 2024.

### **Consultations**

Service Lead – Public Protection (Environmental Health) – No adverse comments to make regarding the amended condition

Hampshire County Council (Highway Authority) – No adverse comments:

- The use remains the same in terms of trip rates
- No material change in either staffing levels or visitor numbers likely to occur

### **Representations:**

**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Denmead Parish Council – Objection raised:

- Complete change from the original application which was only to house young adults
- Inadequate parking provision / proposal would result in increased parking demand
- Request that the application should go to Planning committee if it is likely to be granted

(full comments are provided in Appendix 1)

No third-party comments received.

**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework (December 2024)

- 2. Achieving sustainable development
- 4. Decision-making
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport

National Planning Practice Guidance

- Flexible options for planning permissions
- Use of planning conditions

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

Policy DS1 - Development Strategy and Principles  
Policy MTRA1 - Development Strategy Market Towns and Rural Area  
Policy MTRA2 - Market Towns and Larger Villages  
Policy CP6 - Local Services and Facilities  
Policy CP14 - The Effective Use of Land  
Policy CP16 - Biodiversity

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

Policy DS1 - Development Strategy and Principles  
Policy MTRA1 - Development Strategy Market Towns and Rural Area  
Policy MTRA2 - Market Towns and Larger Villages  
Policy CP6 - Local Services and Facilities  
Policy CP14 - The Effective Use of Land  
Policy CP16 - Biodiversity

Denmead Neighbourhood Plan 2011 – 2031:

Policy 1: A Spatial Plan for the Parish

Supplementary Planning Documents

**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

National Design Guide 2019  
High Quality Places 2015  
Denmead Village Design Statement 2016

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.  
Nature Emergency Declaration.  
Statement of Community Involvement 2018 and 2020

**Emerging Policy**

The Emerging Local Plan, as now agreed by Full Council, has been submitted to the Secretary of State for examination and can be given appropriate and increasing weight in the assessment of development proposals in advance of examination and adoption.

**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. Policy DS1 of the LPP1 is consistent with the NPPF which states in paragraph 11 that decisions should apply a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

The proposal relates to an existing community service which falls within the settlement boundary of Denmead, which the Development Plan identifies as a larger village. In such areas, LPP1 Policy DS1 seeks to support community development that serves local needs along with proposals which contribute to individual and community wellbeing, health and safety and social inclusivity. LPP1 Policy also states that within the market towns and larger villages proposals which maintain and improve the service roles of these settlements (alongside their various other functions) should be supported. It also states that existing facilities, services and employment provision should be retained or improved to serve the settlements and their catchment areas.

A further consideration is that LPP1 Policy CP6 seeks to retain and improve the facilities and services available across the District, and recognises the importance of retaining any existing provision at the same time as encouraging new facilities and services.

Having regard to the above policies alongside the fact that the development falls within the settlement boundary of Denmead it is concluded that the general principle of the proposed development (which is stated to be required to provide additional care capacity) is acceptable subject to the proposals also being in accordance with all other relevant policies within the Development Plan.

**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**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**

LPP1 Policies MTRA1 and MTRA2 together seek to ensure development proposals would maintain and enhance important local character and built or natural features and retain settlement identity (having particular regard to village design statements). LPP2 Policy DM16 states that development proposals should respond positively to the character, appearance and variety of the local environment, within and surrounding the site, in terms of its design, scale and layout.

The development does not propose any changes to the external appearance of the premises and no additional parking is proposed. The development would also not necessitate the removal of any vegetation or any features which contribute towards local character and distinctiveness.

With regards to overall levels of activity, the number of residents on site will not change. The Applicant states that the use was never run as a children's home and therefore staffing levels have also remain unchanged. Therefore, overall levels of activity generated from the site would not change.

Having regard to these considerations it is concluded that the layout and design of the development and its associated activity would preserve local distinctiveness and respond positively to the character, appearance and variety of the local environment, within and surrounding the site as required by LPP1 Policies MTRA1 and MTRA2 and LPP2 Policies DM15 and DM16. The proposals would therefore not give rise to any significant harmful impacts upon the character of the area.

**Development affecting the South Downs National Park**

The application site is located 0.7 miles from the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2024. 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, the Broads and National Landscapes which have the highest status of protection in relation to these issues.

LPP1 Policy CP19 states that new development should be in keeping with the context and the setting of the landscape and settlements of the South Downs National Park. It states that the emphasis should be on small-scale proposals that are in a sustainable location and well designed. Proposals which support the economic and social well-being of the National Park and its communities will be encouraged, provided that they do not conflict with the National Park's purposes.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

As identified above, the proposed development would not result in any significant changes to the external appearance of the site or give rise to a significant increase in activity. Having regard to this and the distance from the National Park, it is concluded that the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

### **Historic Environment**

The application site lies just over 30 metres from Fairholme, a Grade II listed dwelling which lies to the northeast and across Hambledon Road.

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 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2024) Section 16.

Having regard to the distance between the application site and the listed building, the intervening features, and the fact that no physical changes are proposed to the application site, it is concluded that the proposal would not impact upon the setting of the listed building. It is therefore concluded that the proposal would preserve the historic significance of the listed building and no conflict with LPP2 Policies DM29 and LPP1 Policy CP20 has been identified.

### **Neighbouring amenity**

No operational development is proposed and therefore there would be no significant potential for overlooking, loss of light or visual intrusion towards neighbouring residents in comparison with the existing situation.

With regards to the potential for noise and disturbance, it is acknowledged that the use is one which differs from a traditional family home. However, it should be recognised that the assessment at the time of the original planning consent for the care home concluded that the use would not unacceptably increase anti-social behaviour and nuisance to the extent that it would cause material harm to individuals, their communities or the environment. As identified previously, the use has become established and there is no evidence of any complaints having been received in relation to noise generated from the site. No objections were raised by the Environmental Protection Team in relation to the previous proposal to increase the number of residents to six, nor do they object to this current application.

No change is now proposed to the overall number of residents, and it is not considered that the intensity or character of the existing use will materially change as a result of the introduction of adult residents in place of young people. With regards to staffing provision this is also to remain unchanged.

Overall, it is therefore concluded that the proposed development would not have an unacceptable adverse impact on adjoining land, uses or property by reason of noise, disturbance, overlooking, overshadowing or by being overbearing. Therefore, no conflict with LPP2 Policies DM17 and DM20 or NPPF paragraph 198 has been identified.

**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

## **Sustainable Transport**

No changes are proposed to the existing vehicular access and the application site is currently served by 6 off-road parking spaces, although the Applicant states that in reality, there is space to park 10 cars on site.

At the time of the original planning consent for the care home in 2019, it was stated that these spaces would be used primarily by the care staff who are on site each day/night, for visiting adults from services such as social, health or education, and for friends or possibly relatives as with any other family home.

It is acknowledged that the Parish Council raises concerns in relating to increased parking demand. However, it should be highlighted that the development lies within the settlement boundary of Denmead which is covered by LPP2 Policy MTRA2. The supporting text to this policy states that an assessment of the population, service provision and connections of the MTRA2 settlements, together with how many surrounding smaller villages rely on them for specific services/facilities, indicates that these are sustainable locations appropriate for development to meet local needs.

Notwithstanding this, further information was requested from the Applicant and the views of the Highways Authority have been sought during the application process.

The Applicant states that because the use has always operated with adults as opposed to children, there has been no change in staffing requirements. The use will continue to operate with 6 adults with learning difficulties, 10 daytime staff and 6 night-time staff. It is stated that 5 of the residents currently have Motability vehicles and that they each have individual needs. They go out on their own activities/day service with their staff (the staff drive). Of the 5 remaining spaces, 4 are used by staff (including the manager).

The information submitted indicates that typically less than half of the staff drive to the site and staff rotas as managed around travel arrangements. One space is retained for visitors to the site and it is stated that all visits are by appointment, with approximately one visit per resident each week. These visits are usually arranged when other residents are out (in day service or undertaking a chosen activity) so that there is adequate parking available.

It is stated that the establishment has an agreement with The White Hart pub, whereby they use the pub car park as necessary. Typically, this would be used for occasional pop-ins by other staff members.

Paragraph 116 of the NPPF recognises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. In this instance, for the reasons outlined above, the proposal would not lead to an unacceptably harmful or severe highway impact.

Overall, it is concluded that (having regard to the above assessment), the proposed  
**Case No: 25/00197/FUL**



WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

development would manage existing demand on the highway network, would allow for access to, and movement within the site in a safe and effective manner and would incorporate parking provision and vehicular access as part of the overall design of the scheme as required by LPP1 Policy CP10 and LPP2 Policy DM18 along with paragraph 115 of the NPPF.

### **Ecology and Biodiversity**

The application site does not lie within or adjacent to any sites of nature conservation interest.

With regards to local ecological impacts, the proposal would not involve any form of operational development and would therefore not give rise to a significant or harmful impacts over and above the existing situation. It is therefore concluded that the proposal would avoid harmful impacts upon local ecology as required by LPP1 Policy CP16 and paragraph 193 of the NPPF .

It is recognised that biodiversity net gain is now required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This seeks to ensure development proposals deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

In this instance, it has been established that the proposed development is exempt from this requirement as it falls below the de minimis threshold, meaning development which does not impact an on-site priority habitat and impacts less than 25 square metres of on-site habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

### **Appropriate Assessment.**

The proposed development would not involve any additional overnight accommodation, would not necessitate the provision of connections to the foul water drainage network and would therefore not increase nutrient load on the Solent water environment. The development also does not lie within or close to any European Nature Conservation Sites and would not materially increase recreational pressure upon these designations. Therefore, the development would not cause a significant effect upon the Solent European Sites protected as Special Protection Area and Special Area of Conservation under European law and it is not necessary to undertake an Appropriate Assessment in this instance.

### **Sustainability**

No operational development is proposed in this instance and therefore the requirements of LPP1 Policy CP11 in relation to sustainable design, maximising energy efficiency and incorporating renewable energy technologies would not be relevant.

### **Sustainable Drainage**

The application site does not lie within or adjacent to a flood zone and because no

**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

operational development is proposed there would be no increase in impermeable surfacing across the site. The proposed development would therefore not lead to an increase in surface runoff or give rise to increased flood risk.

The nature and scale of the proposal is such that it would not lead to an increased need for foul drainage provision and the site is already connected to the main sewer.

Overall, it is concluded that the proposal would ensure that adequate surface water drainage and wastewater infrastructure would be provided to service new development as required by LPP1 Policy CP17 and NPPF paragraph 181.

### **Trees**

The proposal would not impact upon any trees within or adjacent to the site and therefore no conflict with LPP2 Policy DM24 has been identified.

### **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 proposal relates to an existing community establishment in sustainable location and would enable the existing use to continue to serve local needs and community wellbeing. The development would therefore contribute to Development Plan objectives of maintaining and improving the service roles of larger villages. The development would not be harmful to the character of the area and would not be unacceptably detrimental to the amenities of neighbouring residents, highway safety or local ecological interests. It is therefore recommended that planning permission should be granted.

### **Planning Obligations/Agreements**

Not relevant.

### **Recommendation**

GRANT subject to the following conditions:

### **Conditions**

1 The development hereby approved shall be constructed in accordance with the  
**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

following plans: 190034 02B; 190034 04 A

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

2. The premises shall be used as a residential care home for supported living for adults (aged between 18 - 65) with learning difficulties and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To restrict the use of the premises in the interests of highway safety and local amenity.

3 The first floor window(s) in the west elevation of the two-storey extension hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, 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.

4 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

**Informatives:**

1. In accordance with paragraph 39 of the NPPF (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.

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:-

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

Policy DS1 - Development Strategy and Principles

Policy MTRA1 - Development Strategy Market Towns and Rural Area

Policy MTRA2 - Market Towns and Larger Villages

Policy CP6 - Local Services and Facilities

Policy CP14 - The Effective Use of Land

**Case No: 25/00197/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Policy CP16 - Biodiversity

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

Policy DS1 - Development Strategy and Principles

Policy MTRA1 - Development Strategy Market Towns and Rural Area

Policy MTRA2 - Market Towns and Larger Villages

Policy CP6 - Local Services and Facilities

Policy CP14 - The Effective Use of Land

Policy CP16 - Biodiversity

Denmead Neighbourhood Plan 2011 - 2031

Policy 1: A Spatial Plan for the Parish

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.

**Appendix 1 – Comments from Denmead Parish Council**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Comments for Planning Application 25/00197/FUL**

**Application Summary**

Application Number: 25/00197/FUL

Address: Hamelin Hambledon Road Denmead Waterlooville Hampshire PO7 6NG

Proposal: Application Reference Number: 19/01573/FUL Date of Decision:

19/12/2019

Condition Number(s): 3

Conditions(s) Removal:

The condition states that the premises shall be used for a residential care home for young persons and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987. The definition of young persons is not defined and does not therefore necessarily limit occupation to children, as may have intended to be the case. The care home is occupied by adults with learning difficulties receiving supported care. Some of the residents are under the age of 25 and therefore may be described as being 'young persons'. However, others are older. This is a care home where supported living is provided to people with learning difficulties aged over 18. Clarification is therefore sought that it can be occupied as such without being in breach of condition 3.

Condition wording varied to read:

The premises shall be used as a residential care home for supported living for adults (aged between 18 - 65) with learning difficulties and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Case Officer: Liz Young

**Customer Details**

Name: Miss Lucy Carthew

Address: Ashling Pavilion Southwick Road Denmead PO7 6LA

**Comment Details**

Commenter Type: Parish Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Denmead Parish Council raised a STRONG OBJECTION to this application on the following grounds:

- This is a complete change from the original planning application which would only house young adults

- Parking currently exceeds capacity and due to this it is currently inadequate. By changing the planning application to adult residents, it will create more visitors.

It was also requested that the application be sent to Committee should the application be likely to be approved.

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE