

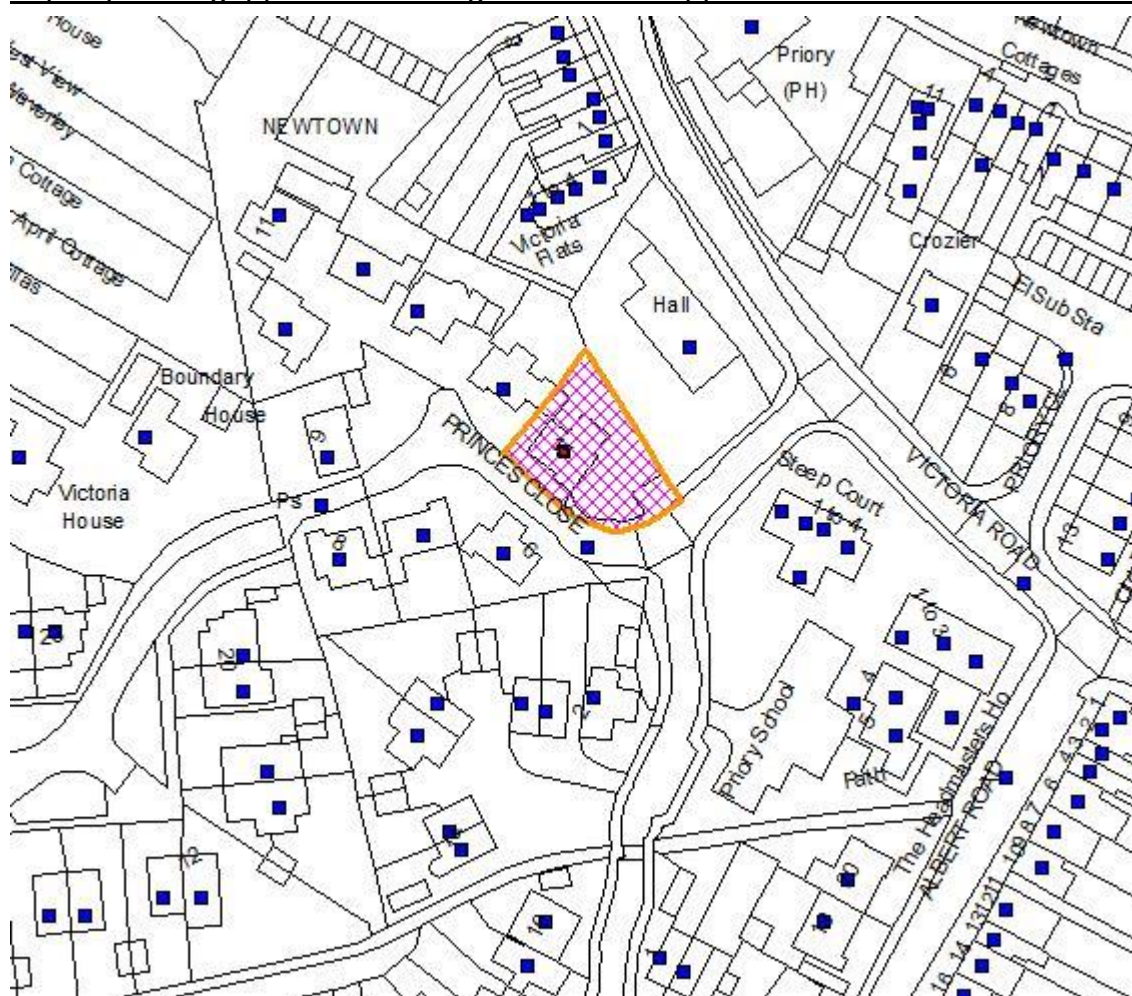
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/02633/OUT
Proposal Description: Outline application for new 3 bedroom detached dwelling within the garden of 15 Princes Close.
Address: 15 Princes Close, Bishops Waltham, Southampton, Hampshire, SO32 1RL
Parish, or Ward if within Winchester City: Bishops Waltham Parish Council
Applicants Name: Mr Craig Tickner
Case Officer: Joe Toole
Date Valid: 4th December 2024
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 24/02633/OUT](#)

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



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Reasons for Recommendation

The development is recommended for permission as it is considered that it will not have a significant adverse impact on the character of the area in accordance with Policies DM15 and DM16 of the LPP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2 and the National Planning Policy Framework (NPPF) 2024.

The proposal complies with the policies of the Development Plan, sections 2, 4, 8, 11, 12, 14 and 15 including paragraphs 125, 127, 129, 135 of the NPPF 2024 and material planning considerations do not indicate an alternative approach should be taken.

General Comments

The application is reported to Committee as the Parish Council has objected to the application.

The proposal seeks outline permission for:

- Principle of development
- Access
- Appearance and scale
- Layout of development

The remaining details in terms of the layout of foul and surface water drains, the provision for car parking and samples of materials will be dealt with under a reserved matters application in the future, secured under condition 3.

Site Description

The site is located to the northwest of the junction between Princes Close and Elizabeth Way. The site currently contains a two-storey link-detached dwelling with a buff brick external finish. The site currently contains 2 parking locations, one is located to the northwest of the existing dwelling with a driveway that contains 2 allocated spaces and a garage, whilst there is a second location to the southeast of the site with 2 allocated spaces. Along the southern boundary there is hedging and an approved 2 metre high fence.

The wider area consists of two-storey detached and semi-detached dwellings with examples of various facing brickwork and is residential in character.

Proposal

The proposal is for the erection of a detached 3 bedroom dwelling within the garden of 15 Princes Close.

The proposed dwelling would be adjacent to No.15 Princes Close with the parking utilising the existing parking along the southeast of the site.

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Amendments to proposed plans

The proposed plans have been amended from the original submission by the removal of the rear dormers. It was considered that the dormers would be in a prominent position when viewed from Princes Close and were deemed to be out of keeping with the character of the area. Furthermore, confirmation was given that the proposed dwellinghouse would have the same ridge height as the adjacent property No.15 Princes Close. Finally, a proposed section plan was provided with datum points showing the proposed ground levels for the proposed detached dwellinghouse.

The application was originally proposed as a self-build dwellinghouse, however during the course of the application, the applicant confirmed that the dwelling was intended to be an open market unit and as such, the planning application required Biodiversity Net Gain mitigation. These details were subsequently provided and are assessed within the Ecology section of this report.

Relevant Planning History

- 24/01520/DIC – Discharge of conditions 3 and 7 – permitted 19th September 2024
- 23/02432/OUT - The proposal is for a 3 bedroom house within the garden of 15 Princes Close (Amended Plans) – permitted 23rd May 2024
- 23/01414/HOU- To remove Leyland cypress hedge at 2.5 meters high and replace with 2 meter fence - Permitted 13th October 2023
- 23/01473/HOU- 2 Storey and single storey rear extension.- Permitted 9th August 2023
- 15/00844/FUL-(HOUSEHOLDER) Erect a Conservatory- Permitted 15th June 2015
- 89/02068/OLD- Two storey rear extension- Permitted 13th June 1989
- 81/00003/OLD- Erection of ten dwellings and garages details in compliance with 00037/02- Permitted 6th November 1981

Consultations

Natural England -

- No objection subject to securing appropriate mitigation

Environmental Health – Land Contaminated

- No objection subject to condition

Ecology Officer

- No objection subject to conditions

Southern Water

- No comment

Hampshire Highways

- No objection subject to condition

Tree Officer

- No objection subject to accordance with submitted plans and conditions

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Representations:

Bishops Waltham Parish Council : The objections raised for the previous application for this property are still relevant and should be reconsidered. These in regard to WCC policies relating to parking, building density and overdevelopment of this close.

If the Planning Officer is minded to confirm the planning approval for this site then it should be on the plans permitted already, without further changes.

The comments submitted by the Parish Council objecting to the previous application are copied below:

1. An additional to this close of houses, the planning application does not conform to its current surroundings of other four bed detached houses.
2. Parking has been highlighted as a concern. The development has only two visitor parking spaces - not enough when some houses only have one allocated parking space. The access road to this estate are small and winding. The estate leads to a recreation ground and the roads are used for overflow parking for sporting and social events. An addition house will add to demand on parking in this narrow road entrance to the parkland.
3. The additional house is proposed within an already over dense area of housing - a small close.
4. The application does not conform to CP13, LPP1 and DM15, 16,17,18 of the LLP2 as well as Winchester Parking SPD. 5. Numerous objections from residents with clear reasoning for such.

5 objecting representations received from different addresses within the Winchester City Council administrative area citing the following material planning reasons:

- Previous application 23/02432/OUT
 - Original submitted a detached dwelling proposal which was changed during the course of the application to be semi detached
 - This application is of similar design to the previous proposed detached dwelling
- Character and appearance of the area
 - Significant impact upon the character and appearance of the area
 - Overdevelopment of the site
 - Not in-keeping to the character of the neighbouring properties
 - Concerns with ridge height of proposed dwelling
- Highways
 - Increased pressure on street parking
 - Highways safety
 - Increased traffic
 - Increased pedestrian safety risk
 - Difficulty of access for emergency vehicles
- Neighbouring Amenity

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- Overlooking existing houses
- Loss of outdoor amenity space
- Contractor parking during building

1 support representation received from an address within the Winchester City Council administrative area citing the following material planning reasons:

- Detached building would be more in keeping with the rest of the Close

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 11 Making effective use of land

Section 12 Achieving well designed places

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

Section 15 Conserving and Enhancing the natural environment

National Planning Practice Guidance

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

MTRA2 - Market Towns & Rural Area

CP2 - Housing Provision and Mix

CP7 - Open Space, Sport and Recreation

CP10 - Transport

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

DM24 – Special Trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Document

National Design Guide 2019

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Car Parking Standards (2008)
High Quality Places SPD (2015)
Bishops Waltham Design Statement

Other relevant documents

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) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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.

The application site is situated within the defined settlement boundary of Bishops Waltham. 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.

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.

Key differences from previous planning permission 23/02432/OUT

Planning permission was granted under planning reference 23/02432/OUT for a semi-detached dwelling attached to No.15 Princes Close. It is worth noting that originally under the previous planning application (23/02432/OUT), the proposal was for a detached dwellinghouse however, it was negotiated during the course of that application for the proposed dwelling to be changed to a semi-detached dwellinghouse.

The proposal in the current application reverts to the dwelling being detached. The design of the current proposal includes some key differences from the design of the detached dwellinghouse submitted with the previous application including the formation of a gable end reflecting the design of No.15, a reduction in footprint and the removal of dormers. Therefore, it is considered to be materially different from the original plans for 23/02432/OUT.

Impact on character and appearance of area

The site is situated within an existing residential curtilage.

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The proposal seeks outline permission for the access, appearance, landscaping, layout and scale of the proposed dwelling.

The proposed dwelling would be a detached two-storey dwelling with rooflights to the front and rear to provide accommodation in the roof. The plans originally submitted included two dormer windows on the rear elevation but amended plans were negotiated to remove these.

The proposed dwelling would have 'wienererger yellow mulit-gilt' facing bricks and 'signature Sherwood' roof tiles. These materials are used on other dwellings in the locality and are therefore deemed acceptable.

The character of the area is residential in nature with two-storey detached and semi-detached dwellings. In terms of Princes Close there is a mixture of detached and link detached properties. The proposed dwelling would have a separation distance from No.15 of approximately 0.8 metres from its side walls. This is not considered to disrupt the local pattern of development, in which there is similar spacing and in some cases less spacing between properties. The proposed dwelling would also have the same ridge height and fronted gable end design as No.15 and subsequently the other properties within the street, thus appearing in keeping with the built form of the area.

The proposed dwellinghouse would be located on the corner of Elizabeth Way and Princes Close being directly visible when entering Princes Close. The placement of the proposed dwellinghouse is considered to be reflective of No.2 Elizabeth Way which is also located on a corner plot close to the highway. As such the proposed development is considered to be in keeping with the spatial pattern of development and with the wider characteristics of the area and does not adversely harm the established character of this Close.

Whilst it is noted the proposed dwellinghouse would be placed within a constrained site with a reduction in outdoor amenity space of approximately 5m² from the previous approval, it is considered not to have a significantly different impact from that previously approved and fits within the spatial character of the area which offer varying degrees of sizes of amenity spaces. Therefore, the proposal is considered to offer acceptable levels of amenity space, causing no significant harm. The principle of an additional dwelling in this location has already been accepted by the previous application and the fact the proposal is detached instead of semi detached does not cause a significant or unduly harmful impact.

In order to protect the amenities of the locality and to maintain a quality environment in accordance with the adopted Winchester City Council High Quality Places Supplementary Planning Document, Condition 10 has been recommended to remove the permitted developments right for the proposed dwellinghouses. This will prevent extensions, loft conversions, dormers, outbuildings and other works from being carried out under permitted development without an assessment being completed by the Local Planning Authority.

Based upon the above assessment, the proposal is considered to be in keeping with the character and appearance of the existing site and surrounding area. The proposed development therefore accords with policies CP13 of the Local Plan Part 1 and DM1, DM15 and DM16 of the Local Plan Part 2 and the paragraph 135 of NPPF 2024.

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Development affecting the South Downs National Park

The application site is located approximately 300 metres from the South Downs National Park boundary.

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 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

There will be no adverse impact as the works do not affect a statutory listed building or structure including its setting; the area is not within a conservation area and there is no archaeological sensitivity or non-designated Heritage Assets within the site's vicinity.

Neighbouring amenity

No. 15 Princes Close is a link detached property with a minimal point of connection to its own garage which in turn is attached to the neighbouring property at No.14 Princes Close, attached to the property to the northwest. Following the sub division of the plot for No. 15 there will be two areas of garden, one for each property with both being considered to provide sufficient usable space. The main outdoor amenity area for the application site will be located to the northeast of the dwelling.

The proposed dwelling is considered to not lead to significant adverse overbearing, overshadowing or overlooking impacts as a result of the scale and orientation of the proposed dwelling, with the views from the first floor not being directed towards private amenity spaces.

Bishops Waltham Army Cadet Force Hut is located to the rear of the site to the northeast. Whilst the proposed dwelling will have views towards this site the relationship is considered to create similar views to that already established from No.15 and as such is not considered have an adverse impact on the use or amenity of the hut.

No.6 Princes Close is located to the southwest of the site, on the other side of Princes Close and on land slightly higher than that of the application site and No. 15. Therefore, given the location of No.6, together with the intervening distance Officers are satisfied that there would be no adverse overbearing, overshadowing or overlooking impact as a result of the development.

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No.1-4 Steep Court is located to the southeast of the site, on the opposite side of Elizabeth Way. The proposed dwelling is not considered to have a harmful impact, given the intervening distance and the orientation of the proposed new dwelling.

Priory Lodge, No 2 Elizabeth Way, is located to the south of the site and proposed dwelling. The proposed dwelling is not considered to lead to significant adverse impact upon the residential amenity of that property, given the relative locations of the site and this property

In light of the above, the proposed dwelling is considered to be acceptable in relation to residential amenity. The proposal therefore complies with policy DM17 of the Local Plan Part 2 and NPPF 2024.

Sustainable Transport

Currently, the existing property (No.15) has 2 parking areas, one to the side of the property and one to the east, accessed from Elizabeth Way. The proposed new dwelling would use the existing parking area accessed from Elizabeth Way where there is sufficient space to provide two parking spaces. This accords with the Residential Parking Standards SPD.

The existing dwelling retains three allocated spaces, including the garage which is accessed from Princes Close. This would be compliant with the Residential Parking Standards SPD. Therefore, the site can accommodate parking for the existing and proposed dwellings, in accordance with the parking standards SPD. Retention of the parking spaces for each property can be secured by Condition 15.

Concerns have been raised regarding the additional traffic generated by the development and the use of the Elizabeth Way access. As discussed, the access from Elizabeth Way already exists and can be used by the occupants of the existing dwelling. The access for the proposed dwelling leads to an unclassified road and is to serve a single dwelling. Therefore the Highway Authority Standing Advice applies and the proposal complies with this. The generation of traffic and type of movements caused by the proposed new dwelling does not result in excessive additional traffic and therefore would not result in harm to the highway network.

Therefore, given the nature of the area and scale of the proposal, it is considered to have a neutral impact upon highways, parking and safety.

Hampshire Highways commented on the application, stating that the existing hedgerow needs to be removed to allow for safe visibility for vehicles approaching from the bend in Princes Close. The hedging has been removed. As such, Hampshire Highways raise no objection to the proposed development, subject to a prior occupation condition (9) Requiring that this area is left clear in perpetuity.

The proposal therefore complies with policy DM18 of the Local Plan Part 2 and paragraph 115 of the NPPF 2024.

Ecology and Biodiversity

The application site is not located within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, the Solent SAC, SPAs, Ramsar Sites).

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In the interests of improving biodiversity, Condition 6 is attached, seeking a biodiversity enhancement plan.

As the proposal would require Biodiversity Net Gain (BNG) a statutory biodiversity metric with completed baseline habitat and condition assessment sheets has been supplied with the application. However, due to the site being within a private residential curtilage BNG cannot be achieved on site. Therefore, to achieve the mandatory 10% BNG, offsite BNG units are required to be secured. This will be secured via a pre-commencement conditions (13 and 14).

The proposal therefore complies with policy CP16 of the Local Plan Part 1 and NPPF 2024.

Appropriate Assessment

The application site will potentially impact the Solent Special Protection Area. All new units for overnight accommodation within the Winchester district is considered to contribute towards an impact on site integrity as a result of increased nitrate disturbance in combination with other development in the Solent area.

In accordance with advice from Natural England and as detailed in Policy CP16 of the Winchester City Council Local Plan Part 1 and the Winchester City Council Position statement on nitrate neutral development, a net increase in the development of housing or overnight accommodation is likely to result in impacts to the integrity of those sites through a consequent increase in eutrophication (the increase in dissolved nutrients that simulate the growth of aquatic plant life, usually resulting in the depletion of dissolved oxygen).

Development within the district will increase the human population at the coast and thus increase the level of eutrophication resulting in loss of feeding grounds and disturbance of bird species. The impacts of eutrophication (both at the site-scale and in combination with other development in the Solent area) are analogous to impacts from direct habitat loss as they can cause important habitat and feeding grounds to be unavailable for use (the habitat is functionally lost, either permanently or for a defined period). Birds can be displaced by eutrophication and use valuable resources in finding suitable areas in which to rest and feed undisturbed. Ultimately, the impacts of eutrophication can be such that they affect the status and distribution of key species and therefore act against the stated conservation objectives of the European sites.

The proposal would result in the total annual nitrogen load to mitigate of 0.82 kg/TN/year and 1.39 kg/TN/year pre 2030. The authority's Appropriate Assessment concludes that a Grampian condition is proposed which secures the full avoidance and mitigation package which would result in a nitrate neutral development (condition 4). It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

The application site is not within the River Itchen Catchment and Phosphorus mitigation is therefore not required.

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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 (2024).

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 5 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

The proposal therefore complies with policy CP11 of the Local Plan Part 1 and NPPF 2024.

Sustainable Drainage

The site is located within a Flood Zone area 1 with a very low risk of fluvial and pluvial flooding. The proposal is located within an area with existing public sewers. The Reserved Matters application will provide details on surface and foul drainage details. Therefore, the proposal complies with policy DM17 and NPPF 2024.

Trees

The site itself does not contain any protected trees, however on the adjacent site to the northeast, in close proximity to the site, there is a tree protected by a Tree Preservation Order (TPO).

Submitted reports have demonstrated that through mitigation secured by Conditions, that any potential impacts can be mitigated. Conditions 7 and 8 would the recommendations contained within the report and associated drawings are followed. The tree is to the north-east of the proposed dwelling and future pressures for the pruning or felling of the protected tree are not likely as a consequence of the development, due to the protected tree being located to the north of the proposed dwelling and its amenity space. It is worth noting that the principle of residential development was established under the previous approval and the changes from a semi-detached to detached does not have any greater impact on the future of this tree.

The proposal is therefore considered to not lead to a significant adverse impact upon the surrounding trees, and the proposal is in compliance with policy DM24 of the LPP2.

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

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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 has already been accepted for an additional dwellinghouse in this location. The proposal is not considered to have a significantly different impact on the character of the area, the amenities of the neighbouring properties, highways, trees and ecology from the previously approved semi-detached dwellinghouse. As such, the proposed development has been recommended for approval.

The proposal complies with policies DM1, DM15, DM16, DM17 and DM18 of the Local Plan Part 2 (2017) and DS1, CP11, CP13 and CP16 of the Local Plan Part 1 (2013), the High Quality Places SPD and NPPF 2024.

Recommendation

Permit subject to the following conditions:

Conditions

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).

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

Location Plan and Existing Plans – 15PC-001

Existing and Proposed Site Plans and materials – 15PC-501

Proposed Floor Plans and Elevations – 15PC-500 B

Topographic Survey – 14725 S1

Tree Protection Plan – TPP-KC/15Princes/001

Arboricultural Impact Appraisal and Method Statement written by Technical Arboriculture
March 2024

European Sites Checklist

HRA/AA

Reason: To clearly define the outline proposal for development which will be subject to further reserved matters detail considerations based upon the area for development within the red-line application site.

3. Plans and particulars showing the detailed proposals for all the following aspects of the development (hereinafter called "the reserved and other matters" shall be submitted to and approved in writing by the Local Planning Authority before any development is

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commenced. The approved details shall be carried out as approved and fully implemented before the building(s) is/are occupied.

Reserved and other matters: -

- (a) The layout of foul sewers and surface water drains
- (b) The provision to be made for the parking, turning, loading and unloading of vehicles
- (c) samples of materials to be used

Development must then continue in accordance with the approved details.

Reason: To comply with Section 91 of the Town and Country Planning Act 199.

4. 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

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

5. Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwelling shall meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2024 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

6. No development shall take place until a Biodiversity Mitigation and Enhancement Plan is submitted to and approved by the Local Planning Authority. The details must include the use of boundary treatment gaps, swift boxes and other enhancement measures.

Development must then continue in accordance with the approved details.

Reason: To accord with the Policy CP16 of the Winchester District Local Plan Part 1.

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7 Protective measures, including fencing, ground protection, supervision, working procedures and any special engineering solutions shall be carried out in accordance with the Arboricultural Impact Appraisal and Method Statement written by Technical Arboriculture March 2024.

Reason: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (Dec 2024) and policy DM15 of the adopted Winchester District Local Plan Part 2 2017.

8 Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement, Ref:- AIA/AMS-KC/15PRINCES/001 March 2024 shall be agreed in writing by the Local Planning Authority.

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

9 Prior to the occupation of the development hereby permitted, visibility splays shall be provided, with any structure, erection, planting or vegetation within the splays not exceeding 0.6 metres in height from ground level, in perpetuity, unless otherwise agreed by the Local Planning Authority in consultation with Hampshire Highways.

Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Class A, AA, B and E of Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development is proportionate to the site in order to protect the amenities of the locality and to maintain a good quality environment.

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

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

12 Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not

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recommence before a site assessment 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. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

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

13 Development may not be begun on site unless:

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

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

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

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

14 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan under Condition 2 has been submitted to and approved in writing by the Local Planning Authority (LPA). The HMMP shall include the following details:

- (a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (b) any necessary legal mechanism or covenant for securing the monitoring over the relevant period;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- (e) a proposed definition of 'completion of development' in respect of the development hereby approved.
- (f) The approved Biodiversity Gain Plan shall be maintained for at least 30 years after the development is complete.

The approved habitat creation and enhancement works shall be implemented in full within six months of the date of their written approval and shall be maintained for at least 30 years after the development is completed. Notice in writing shall be given to the LPA once the habitat creation and enhancement works as set out in the HMMP have been completed

Case No: 24/02633/OUT

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

15 The development hereby permitted must retain the 3 No. car parking spaces including the garage to the side of No.15 for its occupiers and the 2No. car parking spaces accessed off Elizabeth Way for use by the occupiers of the proposed dwelling. The spaces shall be kept free of obstruction and be available for the parking of vehicles at all times unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with the Council's parking standards SPD.

Informatives:

1. In accordance 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.

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, MTRA2

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

3 IMPORTANT - Biodiversity Gain Condition

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

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

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

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

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