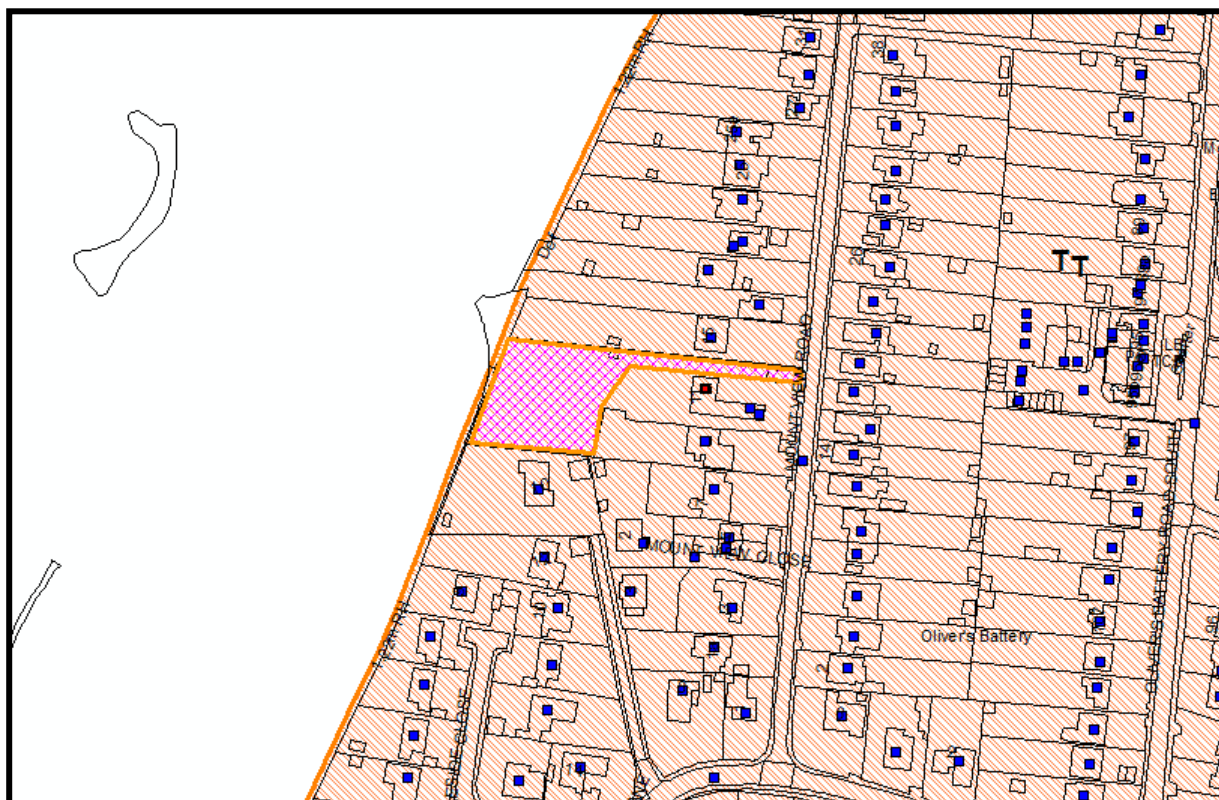


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**Case No:** 22/00621/FUL  
**Proposal Description:** The erection of a pair of semidetached houses (1 x two bedrooms and 1 x three bedrooms), one 4 bedroom house and one 5 bedroom house, together with access, parking and landscaping. (REVISED PLANS RECEIVED 26.07.2022)  
**Address:** 11 Mount View Road, Olivers Battery, SO22 4JJ  
**Parish, or Ward if within Winchester City:** Olivers Battery Parish Council  
**Applicants Name:** Mr R Yeo  
**Case Officer:** Catherine Watson  
**Date Valid:** 25 April 2022  
**Recommendation:** Permit  
**Pre-Application Advice** Yes

**Link to Planning Documents**

[Link to page – enter in reference number: 22/00621/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)  
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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**Reasons for Recommendation**

The development is recommended for permission as it is considered that it will have a positive impact on the character of the area in accordance with Policies DM15 and DM16 of the LPP2 and would not significantly harm neighbouring residential amenity in accordance with policy DM17 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**

Amended plans submitted 26<sup>th</sup> July 2022 (AE201A, AE203A, AE204A, AP051D, AP101A, AP103A, AP104A, AS301A, AS311A) showing elevational changes, including to the roofscape, introduction of dormer windows and alteration in the proposed materials. The siting and footprints of the buildings remain unchanged.

**Site Description**

The site is situated on Mount View Road, within the settlement of Olivers Battery which is approximately 2.5km to the south-west of Winchester city centre. Mount View Road is orientated north-south and the plot (numbers 9-11) lies on the west side of the road. Consent was granted in 2016 for a replacement dwelling and a new dwelling at no 11. These have now been substantially built out although it is not known if they are occupied, and they are situated at the top of the site, nearest the road. The rest of the plot is characterised by scrubby garden. The western side of Mount View Road borders and has extensive views over the golf course and the land slopes down towards it from the east. The majority of the plots on this street are linear and contain single, detached dwellings.

**Proposal**

The proposal is for the erection of a pair of semi-detached dwellings (1x2-bed and 1x 3-bed), and two detached dwellings (1no 4-bed and 1no 5-bed) with associated access, parking and landscaping.

**Relevant Planning History**

16/01645/FUL - Erection of a replacement dwelling following demolition of the existing; and the erection of a new dwelling, landscaping and associated works. PER 28th October 2016.

17/03069/NMA - (Non-material amendment to 16/01645/FUL) Proposed storage area under terrace; removal of basement to house 1; Alteration to rear Juliette balcony; alteration to doors to sliding rather than opening; alteration to utility window raising height. ACCEPT 18th December 2017.

**Consultations**

Service Lead – Engineering (Drainage) -

- Comment. Development acceptable, subject to standard drainage condition.

Service Lead – Sustainability and Natural Environment (Ecology) –

- Comment. Acceptable, subject to further information.

**Representations:**

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12 Objecting Representations received from 7 different addresses citing the following material planning reasons:

- Overlooking
- Overspill parking onto the road and increase in traffic
- Noise
- Design not appropriate
- Refuse bin storage at the front of the property will be unsightly
- Sets a precedent for future backland development in the area
- Overdevelopment of the site

**Relevant Government Planning Policy and Guidance**

National Planning Policy Framework (December 2024)

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

National Planning Practice Guidance

- Air Quality
- Appropriate assessment
- Climate change
- Community Infrastructure Levy
- Consultation and pre-decision matters
- Design: process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Flood risk and coastal change
- Housing supply and delivery
- Natural environment
- Renewable and low carbon energy
- Self-build and custom housebuilding
- Use of planning conditions
- Waste
- Water supply, wastewater and water quality

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

- DS1 – Development Strategy and Principles
- CP1 - Housing Provision
- CP2 - Housing Provision and Mix
- CP10 – Transport
- CP11 – Sustainable Low and Zero Carbon Built Development
- CP13 – High Quality Design

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- CP16 – Biodiversity
- CP17 – Flooding, Flood Risk and the Water Environment

Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2)

- DM1 – Location of New Development
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking

Emerging Local Plan

- Spatial Strategy and Development Principles
- CN1 – Mitigating and Adapting to Climate Change
- CN3 – Energy Efficiency Standards to Reduce Carbon Emissions
- CN4 – Water Efficiency Standards in New Developments
- D1 – High Quality, Well Designed and Inclusive Places
- T2 – Parking for New Developments
- T4 – Access for New Developments
- NE1 – Protecting and enhancing Biodiversity and the Natural Environment in the district
- NE5 – Biodiversity
- NE6 – Flooding, Flood Risk and the Water Environment
- NE16 – Nutrient Neutrality Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent and River Itchen
- H1 – Housing Provision
- H3 – Spatial Housing Distribution

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Residential Parking Standards 2009

Olivers Battery Village Design Statement

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.

Nature Emergency Declaration.

Statement of Community Involvement 2018 and 2020

Biodiversity Action Plan 2021, updated 2023

Position Statement on Nitrate Neutral Development – February 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) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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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 site is situated within the settlement boundary where residential development is acceptable in principle, subject to complying with local plan policy.

The proposal comprises a pair of semi-detached houses (Plots 1 and 2) and 2 no detached houses (Plots 3 and 4) with associated parking and turning area, as well as garden amenity areas. Plot 1 is to have 3 beds, Plot 2 will have 2 beds, Plot 3 is to have 4 beds and Plot 4 will have 5 beds. Policy CP2 covers housing mix. It states that the majority of homes should be in the form of 2 and 3 bed houses. The proposals will therefore result in 50% 2 and 3 bed and 50% 4 and 5 bed dwellings. Local circumstances may warrant an alternative approach.

In this instance, it is considered that the site can accommodate 4 dwellings and the pair of semi-detached has the form and footprint of a single, large dwelling. The site is spacious and can comfortably fit the infrastructure and amenity space associated with larger dwellings. It is therefore considered that having 50% of the houses as 4 and 5 beds is acceptable on this site and in accordance with policy CP2.

**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 site is situated within Olivers Battery. This part of Winchester has seen gradual development and redevelopment since the First World War, but with the majority taking place within the last 40-50 years. This has resulted in a very mixed development of houses, chalet bungalows and bungalows of varying sizes, ages and designs. Mount View Road principally comprises of narrow plots with single detached dwellings (both two-storey and bungalows) and long gardens to the rear. Many of the existing dwellings have been extended in some form or have roof additions such as dormers.

A replacement and 1 no additional dwelling have been constructed at the front of the site, adjacent to the road. This development was given planning consent in 2016 (16/01645/FUL). The proposed development is to the rear of these dwellings and will be accessed separately.

The southern boundary of the site is marked by some trees, shrubs and undergrowth, adjacent to which is other backland development, principally 10 Old Kennels Lane. The eastern boundary of the site is formed by the rear gardens of no's 9 and 11 Mount View Road and the long northern boundary adjoins the driveway and is marked by a fence for approximately half its length and then by some boundary planting. The western boundary adjoins the golf course and is marked by a bank and fence with planting beyond.

The proposal comprises a pair of semi-detached houses (Plots 1 and 2) and 2no detached houses (Plots 3 and 4) with associated parking and turning area, as well as garden amenity areas.

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Whilst the footprints and layout have remained the same, a number of elevational and roof changes were made and submitted as amendments in July 2022. These were as a result of feedback from the case officer and urban design officer. The main changes are as follows:

- An increase in the roof pitch and length.
- A change in materials (first floor to be clad in stained timber and ground floor to be a light-coloured brickwork) to emphasise the horizontality of the building form and provide balance to their appearance.
- The addition of recessed dormers to the front (east) elevation and enclosed balconies at first floor level to the rear (west) elevation.

The design of the dwelling is therefore considered acceptable in this context and the materials and simplicity of design are reflective of similar development in this part of Olivers Battery.

The site slopes noticeably from street level (east) towards the golf course (west) – approximately 10m between the two. The development will result in the lower part of the site being remodelled (some excavation and some building up). The excavated level will be approximately 1m lower than the existing and once the temporary spoil heaps created by the construction of the existing newer dwellings have been removed, the depth of excavation will be approximately 2m. Section diagrams have been submitted which show the existing and proposed ground levels and layout through the centre of the site lengthways and from the south, looking north. These show that the new dwellings will be visible from the west (golf course) however, existing boundary planting and a vegetated bank will help to soften the appearance. A landscape strategy plan will be conditioned (8). This will include the planting of new trees, shrubs and hedging along this and the other boundaries as well as within the garden and communal spaces belonging to the dwellings. Condition 3 ensures that materials will be carefully chosen to ensure they are of a high-quality appearance and appropriate to the character of the area.

It is therefore considered that the proposals are in keeping with the character of the area and views from the golf course, whilst prominent, do not result in significant visual harm given the sloping nature of the site.

Therefore, the proposal complies with policies DS1, CP13 and CP20 of the LPP1 and DM1, DM15, DM16, DM17 of the LPP2.

**Development affecting the South Downs National Park**

The application site is located 1.8km 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). 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

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its statutory purposes is not identified.

In conclusion therefore, the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

**Historic Environment**

No Impact. The works do not affect a statutory listed building or structure including setting; Conservation Areas, archaeology or non-designated heritage assets including setting.

**Neighbouring amenity**

The nearest residential dwellings that may be affected by the proposals are no 15 Mount View Road to the north and no 7 Mount View Road and 10 Old Kennels Lane to the south. A number of local residents have raised objections to the proposals. These include the occupant of no 15 who is concerned about noise from cars using the new access adjacent to their property, as well as a loss of privacy. The proposed development will sit approximately level with the access, some of which is already present to serve the existing development. Additionally, windows on the first floor of the southern and northern elevations are restricted to dressing rooms and an en-suite and the balconies to front and rear will have privacy screens on either side in order to address any possible overlooking. Conditions 6 and 7 will require details of these screens to be submitted, as well as requiring the en-suite and bathroom windows to be obscure glazed.

It is not considered that there would be significant additional noise harm from the additional vehicles accessing the site, primarily impacting upon 15 Mount View Road, due to the comparatively low number of trips generated by the residential use. Additionally, it is not considered that the use of heat pumps will create a significantly harmful level of noise.

The proposed Plots 1 and 2 will be situated approximately 35m to the south-west of the dwelling at number 15. Given the addition of balcony privacy screens as discussed above, it is considered the new development is at such a distance and orientation as to not cause harm to the amenities of number 15 by means of overlooking, overbearing, overlooking and loss of light.

The nearest adjoining property to the east is number 9 Mount View Road. This property sits adjacent to the recently constructed housing development on the wider plot of 11 Mount View Road. The access to both the recently constructed dwellings and the proposed dwellings is shared for part of the way along the northern boundary of the site. Plot 4 sits adjacent to the rear garden of number 9 however, the existing dwelling is also in line with the already constructed properties. The principal elevation of Plot 4 faces towards the rear garden of number 9 however there is a distance of 12.7m between this elevation and the 1.8m boundary fence and then a further distance from the boundary fence to the rear of number 9, of 30m. It is acknowledged that the main garden amenity space for number nine is to the rear of that property however given the distances to the boundary and dwelling between Plot 4 and number 9, it is not considered that there would be significant harm by means of overlooking, overbearing or overshadowing, as well as impact upon garden amenity space to this property.

The adjoining property to the south is 10 Old Kennels Lane. The proposed dwelling is approximately 5m to north of the shared boundary. The land level of Plot 4 is to run at the  
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same level as that in 10 Old Kennels Lane and there will be obscured first floor windows on the new dwelling. It would appear that there are two small windows on the north facing elevation of number 10, although it is not clear which rooms these serve although one also appears to be obscure glazed. NO overshadowing of number 10 will occur as it is due south of the development. A combination of hard (horizontal sleeper fence) and soft (native boundary hedging) is proposed along the entirety of the southern boundary to provide screening between the two properties. It is therefore not considered that there would be unacceptable levels harm by means of overlooking, overshadowing or overbearing or impact upon garden amenity space.

In conclusion, the impacts of the proposed development upon neighbour amenity, as set out above, are acceptable and therefore accord with policy DM17 of the LPP2.

**Sustainable Transport**

The proposal will have no significant impact on highway safety as the site is situated within a cul-de-sac in a residential area where traffic speeds are low. A new access with dropped footway crossing and visibility is to be created. The development provides car and cycle parking in accordance with the council's adopted parking standards. The development will generate a minimal amount of additional traffic which is unlikely to have a detrimental effect on highway safety. In addition, the turning area on site has been designed to accommodate the requirements of a Transit-type grocery vehicle. Bins will be brought to the end of the drive for collection by the refuse lorry. This arrangement is typical of the street and surrounding area.

Condition 5 will secure a Construction Management Plan to cover parking and turning of operative, construction and visitor vehicles; deliveries, loading and unloading of plant and materials and storage of plant and materials.

Therefore, the proposal complies with policy DM18 of the LPP2.

**Ecology and Biodiversity**

The proposal is for overnight accommodation affecting nitrogen and phosphorous.

A nutrient budget calculator has been submitted, and an appropriate assessment has reviewed the proposals in relation to their impact upon nutrient-sensitive sites including the River Itchen SAC and SSSI. Details of this are given in the appropriate assessment section below.

The development therefore complies with The EU Habitats Directive and Conservation of Habitats & Species (Amendment) Regulations 2011 and contains an Appropriate Assessment as Competent Authority.

An Ecological Appraisal (Cherry Tree Ecology, March 2022) was submitted with the application. This showed that a population of slow worms was resident on-site. There is also moderate bat foraging habitat with good connectivity, as well as bird nesting habitat. The boundary habitats have the potential to support dormice. However, the impacts of the development on these habitats and species can be mitigated and further information as well as any mitigation or enhancement measures proposed is required by conditions 10 and 11. An update to the original appraisal was submitted on 4<sup>th</sup> December 2024.



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The scheme is not liable for statutory Biodiversity Net Gain as the application was submitted before April 2024.

External lighting will be controlled via condition 12.

In these circumstances the impact on biodiversity is considered acceptable and therefore, the proposal complies with policy CP16 of the LPP1.

**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 positive contribution pre-2030 of 12.62 Kg/TN/year is made but post-2030, 3.64Kg/TN/year is made. Pre-2030 there is a positive contribution of phosphates of 0.28Kg/TP/year and post-2030, the contribution is 0.11kg/TP/year.

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 and Phosphates from Natural England.

Nutrient credits have been secured via the Council's New Homes team.

The authority's appropriate assessment is that the application complies with the above strategy 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. Condition 4 will ensure the provision and securement of the nutrient credits.

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 4 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. A "fabric-first" approach will be taken to ensure the development is constructed using a sustainable approach. This includes thermal insulation and the installation of solar PV panels. Air source heat pumps will also be installed and water consumption will be limited to no more than 110 litres per person per day.

Condition 13 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

Condition 14 requests as-built data prior to the occupation of the units to ensure that the requirements have been met.

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

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**Sustainable Drainage**

The site is within Flood Zone 1 and is therefore not at risk of flooding from surface water. Surface water will be discharged via soakaways and trial pit testing will need to be undertaken in order to calculate an infiltration rate. The surface water drainage system should be able to accommodate the runoff from the whole development in and up to 1 in 100-year storms, plus an appropriate allowance for climate change and urban creep.

Foul drainage will be connected to the main sewer; this is the most sustainable solution.

Condition 15 requires details of the foul and surface water drainage to be submitted prior to the commencement of works on-site.

The proposal therefore complies with policy DM17 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 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 site falls within a settlement boundary and therefore new residential development is acceptable in principle and complies with policies DS1 of the LPP1 and DM1 of the LPP2. The site is capable of accommodating the quantum of development proposed and the context of the dwellings and associated works have been carefully considered to ensure that they will be in keeping with the surrounding area. Conditions controlling a landscaping scheme and materials will help to achieve this. Fifty percent of the dwellings will be 3-bed, with the other two being a 4 and 5-bed. It is considered that the two larger dwellings are appropriate for the site and are reflective of the wider area of Olivers Battery where existing dwellings are being extended and other sites redeveloped for multiple and larger properties. Planning considerations such as transport, drainage, nitrates, ecology and sustainability have been satisfactorily addressed.

In conclusion, the proposals are acceptable and comply with relevant local planning policy.

**Recommendation**

Permit, subject to the following conditions:

**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).

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

Existing Location Plan AP001 received 21.03.2022  
Proposed Location Plan AP003 received 21.03.2022  
Proposed Site Plan AP051 G received 19.03.2025  
Plot 1 and 2 Proposed Semi-Detached Elevations AE201 A received 26.07.2022  
Plot 3 Proposed House Elevations AE203 A received 26.07.2022  
Plot 4 Proposed House Elevations AE204 A received 26.07.2022  
Plot 1 and 2 Proposed Semi-Detached House Plans AP101 A received 26.07.2022  
Plot 3 Proposed House Plan AP103 A received 26.07.2022  
Plot 4 Proposed House Plan AP104 A received 26.07.2022  
Site Sections AS301 A received 26.07.2022  
Site Sections AS311 A received 26.07.2022  
Landscape Strategy Plan 221-102 received 21.03.2022  
UK Habitats Baseline Map by Cherry Tree Ecology dated 12.11.2024

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

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

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

4. The development 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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5. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved by the Local Planning Authority, to include details of:

- i. parking and turning of operative, construction and visitor vehicles
- ii. deliveries, loading and unloading of plant and materials
- iii. storage of plant and materials

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

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

6. The first-floor en-suite and bathroom windows in the north and south elevations of the dwellings 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.

7. Details of the obscured screening of the balconies on the first-floor west elevations of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to commencement of that phase of the works. The balcony screens must be retained and maintained for the lifetime of the development hereby permitted.

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

8. All hard and soft landscape works shall be carried out in accordance with the approved details contained within the Landscape Strategy Plan Dwg No 221-102 received 21.03.2022. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

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

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

10. The development shall be carried out in accordance with the measures, conclusions and recommendations set out within the Ecological Appraisal by Cherry Tree Ecology and dated March 2022 and the addendum dated 04.12.2024. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

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

11. A Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This shall include details and locations of any enhancement provisions (such as bird or bat boxes or native species rich planting). The biodiversity enhancement provisions shall be sited prior to the development coming into its intended use and retained thereafter.

Reason: To maintain and protect biodiversity.

12. The development shall not be occupied until full details of the lighting plan for the site, including positioning on the building, level of luminance, direction of lighting and details of any motion sensors or timers have been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that bats and other nocturnal species are not adversely impacted by the lighting.

13. 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 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 2019 and to accord with the requirement of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

14. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the Equivalent of Code for Sustainable Homes Level 4 for Energy and Equivalent of Code for Sustainable Homes Level 4 for water, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

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Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2019 and to accord with the requirement of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

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

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

**Informatives:**

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

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

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

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

Local Plan Part 1 - Joint Core Strategy: DS1 – Development Strategy and Principles

- CP1 - Housing Provision
- CP2 - Housing Provision and Mix
- 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
- DM15 – Local Distinctiveness
- DM16 – Site Design Criteria
- DM17 – Site Development Principles
- DM18 – Access and Parking

Supplementary Planning Document

National Design Guide 2019

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Olivers Battery Village Design Statement

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.

Nature Emergency Declaration.

**Case No: 22/00621/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

Statement of Community Involvement 2018 and 2020

Biodiversity Action Plan 2021, updated 2023

Position Statement on Nitrate Neutral Development – February 2020

High Quality Places SPD

3. This permission is granted for the following reasons:

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

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

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

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

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

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

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