Public Document Pack

PLANNING COMMITTEE

Wednesday, 11 June 2025

Attendance:

Councillors
Rutter (Chairperson)

Aron (except Item 13)	Langford-Smith
Cunningham	Small
Gordon-Smith	White (except Item 10)
Laming	Williams

Langford-Smith
Small
White (except Item 10)
Williams

Other Members that did address the meeting:

Councillors V Achwal, Lee, Pett, Porter (Cabinet Member for Place and Local Plan), Tod (Leader and Cabinet Member for Regeneration) and Wallace

Other Members that did not address the meeting:

Councillor Cook

Full recording of the meeting

---

1. **APOLOGIES AND DEPUTY MEMBERS**

There were no apologies for absence received.

2. **DISCLOSURES OF INTERESTS**

Councillor White made a personal statement that she was the Ward Member in respect of Item 10 (Land at Mill Lane, Mill Lane, Swanmore – case number: SDNP/24/02731/FUL). In addition, Councillor White stated that she had friends that were involved in the application and therefore she would take no part in the determination of the application and left the meeting for the consideration of the item taking no part in the discussion or vote thereon.

Councillor Aron made a personal statement that she was the Ward Member in respect of Item 13 (Tree Preservation Order No: 2356 – Oak tree in the rear garden of 52 Canon Street, Winchester). In addition, Councillor Aron declared a predetermination that she had taken part in discussions with objectors to the application and stated that she would take no part in the determination of the application and left the meeting for the consideration of the item taking no part in the discussion or vote thereon.

Councillor Gordon-Smith made a personal statement that he was the Ward Member in respect of Item 9 (Primrose Patch, 42 Grange Road, Alresford – case number: 24/01882/FUL). However, he had taken no part in discussions regarding the application, therefore he took part in the consideration of the item and voted thereon.

Councillor Small made a personal statement that she was the Ward Member in respect of Item 7 (Shedfield Equestrian Centre, Botley Riad, Shedfield – case number: 23/01759/FUL). However, she had taken no part in discussions regarding the application, therefore she took part in the consideration of the item and voted thereon.

Councillor Laming made a personal statement that he was the Ward Member in respect of Item 8 (11 Mount View Road, Olivers Battery – case number: 22/00621/FUL). In addition, Councillor Laming stated that he was involved some time ago in reporting an enforcement on this site with the Parish Council. However, he had taken no part in discussions regarding this specific application, therefore he took part in the consideration of the item and voted thereon.

Councillor Williams declared a disclosable pecuniary interest due to his role as Hampshire County Councillor. However, as there was no material conflict of interest, he remained in the room, spoke and voted under the dispensation granted on behalf of the Audit and Governance Committee to participate and vote in all matters which might have a County Council involvement.

3. **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the previous meeting held on 28 May 2025 (as set out on the supplementary agenda) be approved and adopted.

4. **WHERE APPROPRIATE, TO ACCEPT THE UPDATE SHEET AS AN ADDENDUM TO THE REPORT**

The committee agreed to receive the Update Sheet as an addendum to the report.

5. **PLANNING APPLICATIONS (WCC ITEMS 6 - 9, SDNP ITEMS 10 AND 12 AND UPDATE SHEET)**

A copy of each planning application decision is available to view on the council's website under the respective planning application.

The committee considered the following items:

Applications outside the area of the South Downs National Park (WCC):

6. **PITT MANOR, ROMSEY ROAD, WINCHESTER, HAMPSHIRE, SO22 5PR (CASE NUMBER: 24/02377/FUL)**

Proposal Description: Item 6: (AMENDED) Application for demolition of all buildings, and the construction of 48 dwellings, formation of a new access onto Kilham Lane, provision of landscaping, public open space and drainage (phased development).

It was noted that the majority of the committee had visited the application site on 10 June 2025 to enable members to observe the site in context and to gain a better appreciation of the proposals.

The application was introduced. Members were referred to the Update Sheet which set out the following:

(i) Changes to the Legal Agreement – Head of Terms:

1. **Affordable Housing financial contribution to Winchester City Council**
    a. £2.1million (index linked) to be paid in different triggers during the construction of the development.
2. **Traffic Regulation Order / Section 278 agreement and financial contribution of £15,000 to Hampshire County Council**
    a. To remove on-street parking on the north side of Kilham Lane to facilitate the vehicular accesses
3. **Capital Asset Value for Amenity Trees (CAVAT) Assessment financial contribution of £13,233 to Hampshire County Council**
    a. Regarding felling of trees in highways land to enable the formation of the vehicular accesses and their visibility splays
4. **Traffic mitigation measures - financial contribution of £210,000 to Hampshire County Council**
    a. Towards either pedestrian or cycle improvements on local Cycling and walking infrastructure plan (LCWIP) route 260, or a capacity improvement scheme at the Kilham Lane/Romsey Road signal junction based on drawing 151.0013-0013 Rev P02 to provide additional flare length on Kilham Lane to allow 3 cars to wait side by side.
5. **Travel Plan – including approval and monitoring fees of £15,000 to Hampshire County Council**
    a. A travel plan to be submitted to, and approved in writing, the County Council.
6. **Common Parts and Public Open Space management, maintenance and monitoring fees**
    a. The nature and location of soft landscaping and Public Open Space to be provided on the Development;

b. The nature and location of any hard landscaping works to be provided on the Development;

c. The location of the LEAP;

d. The specification of and equipment to be provided on the LEAP;

e. the timing of the delivery and the transfer of the Public Open Space and Common Parts to the Management Company and for the ongoing management and maintenance of the Public Open Space and Common Parts, including for the avoidance of doubt provisions for the rectification of any defects in any area of the Public Open Space and Common Parts until the completion of the relevant transfer of the Public Open Space and Common Parts to the Management Company.

f. All paths to be public with connections to entrances into and out of the site, remaining open – a plan to be included in the legal agreement to illustrate the location of the same.

(ii) Affordable Housing:

For this planning application, a Viability Study was submitted which was considered and an external validation was obtained.
The outcome of this process was that the proposed development will provide affordable housing off site due to the site constraints and costs of providing affordable housing on site. A financial contribution of £2.1 million was therefore negotiated based upon the external assessment increasing the AH provision from 0% to 40% from the original submission. The council's consultants confirmed that the £2.1million would equate to 19 affordable housings off site. This equates to the 40% affordable dwellings needed for this site.

(iii) An amendment to the wording of Condition 10 to remove reference to **'above DPC level'.**

(iv) Additional Conditions as follows:

Details of the construction and specifications of the internal roadways shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The roadways shall thereafter be laid out in accordance with the approved details prior to occupation of the first dwelling.

Reason: To ensure appropriate provision of the non adopted highways.

Visibility Splays shall be laid and provided in accordance with plan drawing reference 151.0013-0003 P07 prior to the occupation of the dwellings hereby permitted.

Reason: In the interests of highway safety.

A verbal update was provided at the meeting by the planning case officer noting an objection received from Councillor Cook which made reference to the following three points:

(i) Inadequate support for active travel;
(ii) The lack of clarity regarding plans to maintain existing pedestrian access to the planned development; and
(iii) The lack of any affordable housing being offered.

During public participation, Peter de Groot spoke in objection to the application and Stuart Garnett, Gemma Saffhill and Shannon Betteridge spoke in support of the application and answered Members' questions thereon.

Councillor Tod spoke as contiguous Ward Member in objection to the application. In summary, Councillor Tod raised the following points:

1. Spoke as Ward Member for St Paul Ward, which bordered the application site, and the County Councillor for Winchester Westgate, which encompassed the entire area.
2. Councillor Tod stated his opposition to the application, with the fundamental reason being that it looked to deliver a public benefit off-site which should have been delivered on-site. He felt this raised important planning policy questions for the committee to investigate.
3. He had previously raised three issues in a written submission: transport and access, the maintenance of that access, and the provision of affordable housing, noting the original application had no such provision.
4. He supported concerns raised by the objector who spoke regarding the use of management companies, which resulted in some residents paying a "double charge" for services that were publicly funded for others.
5. While the transport maintenance issue appeared resolved, the access plans were considered inadequate. They were based on flawed assumptions, such as all traffic turning right from the development, which ignored the reality of "rat-running" on Kilham Lane and the extremely poor pedestrian access.
6. He believed that the issue of biodiversity net gain also warranted discussion, as there was a deficit of habitat units to reach the required target, and the committee needed to explore if everything possible was being done to deliver the expected net gain on-site.
7. Councillor Tod emphasised that the most significant issue was the affordable housing contribution. He cited policy CP3, which stated that developments were expected to provide 40% of the gross number of dwellings as affordable housing on-site, unless specific criteria for off-site provision were met.
8. He argued that although a financial contribution was now offered, there was no reference to how this off-site provision would better meet priority housing needs as required by policy.
9. In conclusion, Councillor Tod contended that the council's policy was for developments to deliver housing on-site and that the 40% requirement should be calculated based on the gross number of dwellings, not a lesser figure.

Councillor Porter spoke as Cabinet Member for Place and Local Plan in objection to the application. In summary, Councillor Porter raised the following points:

1. Councillor Porter expressed regret over the lack of affordable housing on the site, which was described as a highly sustainable location with a strong precedent for affordable housing, good employment, public transport, and schooling.

2. It was noted that while the reason given for the lack of affordable housing was non-viability, an independent view had suggested a financial contribution of between £2.1 and £3 million would be a reasonable alternative.

3. She stated that the key to delivering affordable housing was land, and expressed disappointment that no land had been identified on which to build the 19 homes that the financial contribution was intended to fund.

4. A concern was raised that the open space was enclosed within the site and, based on past experience, a management company could potentially change the terms of public use over time.

5. Assurance was sought that the open space would be genuinely open to the public and easily accessible for all.

6. A request was made for a strong condition to be included in the S106 agreement to ensure the open space was attached to the land in perpetuity.

7. The need for the development to have access to other facilities, including the park and ride route and local schools was emphasised.

8. In conclusion, Councillor Porter referred to the contradiction between the government stating affordable housing was a priority and the committee considering an application for 48 homes with no on-site affordable provision, which was a situation she deeply regretted.

The Committee proceeded to ask questions and debate the application.

RESOLVED:

The committee agreed to refuse permission for the following reasons:

(i) The development fails to accord with policy CP3 of Local Plan Part 1 (LPP1) as it fails to provide on-site provision of housing
(ii) Nutrients and Biodiversity Net Gain (BNG)
(iii) Offsite contributions - lack of mechanism or S106 Legal agreement securing infrastructure.

The precise wording to be delegated to the Chair of Planning Committee, in consultation with the Service Lead: Built Environment.

7. **SHEDFIELD EQUESTRIAN CENTRE, BOTLEY ROAD, SHEDFIELD, SOUTHAMPTON (CASE NUMBER: 23/01759/FUL)**

Proposal Description: Item 7: Use of existing equestrian building to include equestrian events and partial retention of hardstanding to form associated parking area (Amended Description and Plans)

The Chairperson announced that determination of this application was to be moved to the first item of the afternoon session at 2pm.

The application was introduced. Members were referred to the Update Sheet which set out in full the following:

(i) An email received from Shedfield Parish Council on 2 June 2025.

In response, the amendments to the scheme were discussed with Hampshire County Council as Highways Authority. It was considered by Hampshire that as the changes to the application were a reduction in the wider scheme, that was originally considered to be acceptable in terms of Highways impacts, and the Transport assessment had not been updated to reflect the changes. Therefore, they would not comment further on the scheme and the assessment of the Local Planning Authority was that the arrangements and parking will not give rise to harm to the Highways or safety of its users

.

(ii) Changes to conditions as follows:
Condition 3 – change trigger to 'within 3 months of the date of this permission, details of surface water drainage works…'
Condition 6 – change trigger to 'A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission…'
Condition 8 – change trigger to 'Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the issue of this permission…'
Condition 10 – change trigger to 'Within 3 months of the date of this permission, visibility splays of 2.4m x 43m shall be implemented…'
These have been changed to reflect the reasonable assumption that the temporary car park in place will be used for event parking prior to the approved layout of the car park being fully implemented.

(iii) Additional condition as follows:

Condition 12. The use of the building approved under 12/02417/FUL shall be limited solely to use for a commercial livery, riding school, and associated equestrian events. The Equestrian events hereby permitted shall not exceed 52 events per calendar year commencing from the date of this permission.

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents

from which the permission relates and to prevent inappropriate levels of development within the countryside.

During public participation, Joanna Harvey spoke in objection to the application and Patrick Barry spoke in support of the application and answered Members' questions thereon.

Councillor Wallace spoke as contiguous Ward Member in objection to the application. In summary, Councillor Wallace raised the following points:

1. Councillor Wallace noted members' familiarity with the site, stating there had been numerous applications, mainly retrospective, and a lot of ongoing enforcement activities, including those called out in the current application.
2. He specifically mentioned that the first-floor dwellings on the site and the cafe were excluded from the current application because they were under enforcement right now.
3. Councillor Wallace highlighted that the issues on site had been ongoing for a long time, with an unfortunate pattern of not complying with any part of the planning process.
4. He stated that the presence of two councillors reflected the wider concerns local residents had about the activities on the site as a whole.
5. Regarding this particular application, he outlined concerns about noise, traffic impact, access arrangements, impact on the rural character (being in a countryside location), and the ecological impact.
6. He indicated that Councillor Achwal would elaborate on why they believed the application should be refused.
7. If minded to approve the application, Councillor Wallace urged the committee to consider modifying some of the conditions, specifically the modification of condition 8 around external lighting to limit the hours to one hour either side of permitted event times, defining that the lighting shall not be switched on between the hours of 9:00 pm and 7:00 am.
8. In addition, he also suggested modifying condition 12 to include a definition of equestrian events and to specify the maximum number of events as four per month, ensuring they were not all happening at the same time of the year, which would have an impact on local residents.

Councillor V Achwal spoke as Ward Member in objection to the application. In summary, Councillor Achwal raised the following points:

1. Councillor Achwal thanked the committee for changing the application hearing to the afternoon, explaining that the applicant had another application scheduled for the same morning at Hampshire County Council.
2. She stated that she had successfully requested officers and the committee chairperson at Hampshire County Council to defer that meeting due to a lack of evidence, resulting in a site visit being scheduled for next month. A course of action she also suggested for this committee.
3. She emphasised that the council supported businesses but stressed that these needed to be in the right place.

4. She noted that this was the third application on this site, which remained in a countryside location.
5. She echoed the objectors view that the ongoing development was a "shanty town happening under our eyes".
6. Councillor Achwal argued that the development did not have an operational need in the countryside in this location, citing policies MT4 and DM10, and stated that there was no business case to prove the need, given several existing wedding venues nearby.
7. She asserted that the development did not minimise visual impact (citing policy DM12), stating that the impact on neighbours was dreadful.
8. She highlighted that the development involved hard standing parking for vehicles (citing policy DM2) and noted that applicants had recently been allowed to create a car park without planning permission at the front of the site, indicating a pattern of non-compliance that continues.
9. Councillor Achwal conveyed that local residents were ‘fed up’ and made reference to the Human Rights Act which stated that residents have a right to enjoyment of their back gardens, a right currently undermined by with excessive noise pollution from the site leading to a serious impact on the mental health of several residents, including stress, anxiety and sleep disturbances.
10. She referred to a lack of community engagement and a clear business case for the development and highlighted inconsistencies in the submitted paperwork, specifically noting that the travel survey estimated 100 guests, while the noise survey estimated between 150 and 200 guests.
11. She further identified discrepancies in parking estimates, with the noise survey suggesting 50 vehicles would be needed, but the travel survey stated only 27 spaces were required, concluding that the plans not clear.
12. Reference was made to accident data for the road which was not up to date, citing a fatality of a 20-year-old male opposite the junction at Chalky Lane last year, and stated she was still awaiting an update from the traffic police on this.
13. In conclusion, she urged the committee to defer the application until accurate up to date data was available.

The Committee proceeded to ask questions and debate the application.

RESOLVED:

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet, and subject to the following additional conditions and amendments:

(i) An amendment to condition 8: ‘External lighting shall be limited to one hour either side of permitted event times, with no external lighting permitted between the hours of 21:00 hours and 07:00 hours’.

(ii) An amendment to condition 12 to read: ‘equestrian events shall not exceed 48 events per calendar year, with no more than four events

in any calendar month, commencing from the date of this permission'.

(iii) Additional condition: A register of all events taking place on site, including a full attendance record and details of the event, shall be retained, maintained and made available for inspection upon request by the Local Planning Authority.

8. **11 MOUNT VIEW ROAD, OLIVERS BATTERY, WINCHESTER, SO22 4JJ (CASE NUMBER: 22/00621/FUL)**

Proposal Description: Item 8: 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)

The application was introduced. Members were referred to the Update Sheet which set out an additional condition to remove permitted development rights as follows:

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 Classes A, AA, B, C, D, E and F of Part 1; of Schedule 2 of the Order, and Class A of Part 2; 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.

During public participation, Dr Arnold David Boul, Kenneth Lee and Councillor Rona Blundell (Oliver's Battery Parish Council) spoke in objection to the application and Duncan McCarthy spoke in support of the application and answered Members' questions thereon.

The Committee proceeded to ask questions and debate the application.

RESOLVED:

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet.

9. **PRIMROSE PATCH, 42 GRANGE ROAD , ALRESFORD, HAMPSHIRE, SO24 9HF (CASE NUMBER: 24/01882/FUL)**

Proposal Description: Item 9: (Amended Plans) New 3 bedroom self-build dwelling.

The application was introduced. Members were referred to the Update Sheet which set out an additional condition 21 (Site levels) as follows:

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.

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

During public participation, Stephen Hurrell spoke in support of the application and answered Members' questions thereon.

The Committee proceeded to ask questions and debate the application.

RESOLVED:

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet.

Applications inside the area of the South Downs National Park (SDNP):

10. **LAND AT MILL LANE, MILL LANE, SWANMORE (CASE NUMBER: SDNP/24/02731/FUL)**

Proposal Description: Item 10: (AMENDED DESCRIPTION and PLANS) Change of use from agricultural to equestrian, proposed barn with stables, tack room, feed and hay store and widening of existing access from Mill. Reduced hard standing.

The application was introduced. During public participation, Toni Phillips-Munday and Richard Ward spoke in objection to the application and answered Members' questions thereon.

Councillor Lee spoke as Ward Member in objection to the application. In summary, Councillor Lee raised the following points:

1. The site's location within a protected landscape (South Downs National Park) and its sensitive characteristics were highlighted, including its proximity to the Meon Valley Trail, ancient woodlands, and the River Meon. He noted it arguably warranted a Site of Scientific Interest (SSSI) designation.
2. A significant change in planning policy was raised, noting the 2024 National Planning Policy Framework (NPPF) now imposed a stronger legal obligation to "actively further" the purposes of the National Park, which included conserving and enhancing the landscape, rather than the previous duty to merely "have regard for" them.
3. He referenced a previous Inspector's decision which had cited harm to the character and appearance of the area, and suggested the revised proposals failed to fully address these environmental, landscape, and resident concerns.

4. It was stated that Soberton Parish Council maintained its objection, as the proposal would result in permanent equestrian use and buildings in a countryside location outside the settlement policy boundary. The scale, massing, and intensified use would harm the rural character, landscape, and tranquillity, contravening numerous South Downs National Local Plan policies (SD4, 5, 7, 24, and 25).
5. The proposal was also considered to be contrary to policy SD2, as it did not adequately demonstrate enhancement of ecosystem services such as water quality, soil health, and biodiversity. The submitted ecosystem services statement was described as incomplete.
6. Specific negative environmental impacts were listed, including the degradation of soil carbon capture from converting pasture to hardstanding, the risk of polluting runoff into the flood plain, and a lack of a clear grazing management plan which would undermine biodiversity restoration.
7. While the biodiversity net gain calculations were welcomed, it was argued they needed to be more robust and linked to the emerging local nature recovery strategy. A lack of a natural capital assessment was also noted.
8. In conclusion, Councillor Lee argued that the application had not fully reflected the strong weight that should now be given to nature and landscape under the updated NPPF. He contended that the application did not contribute to conserving and enhancing the landscape and scenic beauty of the National Park, and therefore the objections from the Parish Council, residents, and himself remained extant.

In response to questions, the council's Senior Planning and Litigation Lawyer clarified the weight that should be given to the comments of the appeal inspector regarding the enhanced duty under the National Parks and Countryside Access Act 1949 and the national guidance of 16 December 2024 in this respect.

The Committee proceeded to ask questions and debate the application.

RESOLVED:

The committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report.

11. **STOCKSBURY FARM, POUND LANE, MEONSTOKE, HAMPSHIRE, SO32 3NP (CASE NUMBER: SDNP/24/02511/FUL)**

Proposal Description: Item 12: (AMENDED DESCRIPTION) Change of use of land farm agriculture to provide 3 no. shepherd's huts for tourism use (class C3); the self-build conversion of a redundant barn to provide accommodation in the form of a single storey two bedroomed facility to enable the running of a business

The application was introduced. During public participation, Rob Medway spoke in support of the application and answered Members' questions thereon.

Councillor Pett spoke as Ward Member (also on behalf of Meonstoke and Corhampton Parish Council) in support of the application. In summary,

Councillor Pett raised the following points:

1. He was speaking as both the Ward Member and the Chair of the local Parish Council. He stated that the case was unique as the proposal had been carefully crafted by the applicant, lifelong resident of the farm, rather than by a commercial developer.
2. The proposal was a realistic and well-researched plan to meet a demonstrable market need for tourist accommodation, given the site's proximity to the South Downs Way where existing accommodation was in high demand.
3. He disagreed with the officer's report, which he believed had incorrectly characterised the proposal as being principally for market housing and therefore contrary to policy SD25. He argued that the report's premise, that there was no justification for the operator to live on-site, was subjective and not supported by policy.
4. He contended that policy SD41, concerning the reuse of redundant agricultural buildings, was of greater importance. He highlighted that this policy made provision for "succession housing" for former agricultural or forestry workers, a category the applicant fell into.
5. The proposal also met two exceptions within the National Planning Policy Framework (NPPF) for development in the countryside: the reuse of redundant buildings that enhance their immediate setting, and the essential need for a rural worker to live at or near their place of work.
6. While the officer's report noted the design would have a "benign effect," he suggested that constructing a small bungalow within a derelict barn constituted the "required enhancement of the setting" as stipulated by policy.
7. He explained that the Parish Council had not formally commented due to some members' anxiety about setting a precedent for new development. However, several members had submitted individual statements of support, and the wider village community was fulsome in its support for the applicant's family.
8. The applicant would be happy to be conditioned to ensure the conversion remained an essential part of the business and was not disposed of separately. He would also be proactive in providing transparent updates on the business's progress.
9. Councillor Pett concluded that to characterise the application as "new market housing in the countryside" was factually incorrect. Instead, it was a prime example of the intent behind policies SD23 and SD41, creating a new tourism business, reusing redundant buildings, and providing employment and accommodation for a lifelong local resident.

The Committee proceeded to ask questions and debate the application.

RESOLVED

The committee agreed to grant permission for the following reasons and subject to the following conditions:

(i) Policy SD41 (operational need; the need for farm and rural diversification and accommodation to service this; and succession planning for former farm workers).

(ii) SDNP legal agreement for completion within 6 months of the permission being granted and suite of 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 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The shepherds huts hereby permitted shall be used for holiday accommodation only and shall be used for no other purpose (including any other purpose within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any Order revoking and re-enacting that order with or without modification.)

Reason: To maintain the availability of the site as short term holiday tourist accommodation.

4. Holiday occupancy:
(i) the holiday accommodation units (shepherds huts) shall be occupied for holiday purposes only.
(ii) the holiday accommodation units (shepherds huts) shall not be occupied as a person's sole or main place of residence
(iii) the owners shall maintain an up-to-date register of the names of all occupiers of the individual holiday accommodation units (shepherds huts) on the site, their arrival and departure dates and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority
(iiii) the holiday accommodation units (shepherds huts) shall be limited to occupation of any unit for a maximum period of 4 weeks and for no more than 3 times per year, with a break between each occupation, by the same occupier, of 4 weeks.

Reason: The site is outside defined settlement limits in the open countryside, where permanent dwellings with unrestricted occupation would be contrary to adopted

planning policy, however the application is considered to be in accordance with the National Planning Policy Framework.

5. No development shall be carried out above ground floor slab level until a schedule of external materials finishes and samples to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To safeguard the appearance of the building and the character of the area and to enable the Local Planning Authority to properly consider the development. It is considered necessary of this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

6. The occupation of the barn conversion for staff accommodation to service the tourist accommodation (shepherds huts) hereby permitted shall be limited to a person / or persons solely or mainly employed, or last employed in connection with the land shown edged red on drawing 'Site Location Plan' received 23/05/2025 , or a widow or widower of such a person, or any resident dependant.

Reason: To accord with the terms of the application since the site lies within an area where additional residential properties would not normally be permitted.

7. Before the development hereby approved is first brought into use, a minimum of 5 car parking spaces shall be provided within the curtilage of the site and thereafter maintained and kept available.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

8. Cycle storage shall be provided as shown on drawing 'Parking Plan' and retained in perpetuity.

Reason: To ensure a satisfactory development and in the interests of amenity.

9. The development shall be carried out in accordance with the measures, conclusions and recommendations and to the timeframe for implementation as set out within 6.1.1 and appropriate mitigation measures are required which is

provided in section 6.1.2 of the Preliminary Bat Roost and Barn Owl Assessment (Phillips Ecology, May 2024) regarding timing of construction and ensuring that any lighting during construction and operation should be in accordance with best practice guidance. 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.

10. The actions outlined within the eco systems services statement, submitted 25/06/2024, shall be implemented within one month of the completion of the development hereby approved and thereafter retained. In the case of soft landscaping, this shall be implemented during the next available planting season following the completion/occupation of the development.

Reason: To protect and enhance biodiversity in accordance with Policies SD2 and SD9 of the SDNP Local Plan.

11. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and protected species from light pollution.

12. Prior to the commencement of the development of the 2 bedroom conversion hereby permitted detailed information in a design stage sustainable construction report in the form of:
a) design stage SAP data
b) design stage BRE water calculator
c) product specifications
d) building design details
e) layout or landscape plans demonstrating that the dwelling has:
a) reduced predicted CO2 emissions by at least 19% due to energy
efficiency and;

b) reduced predicted CO2 emissions by a further 10% due to on site renewable energy compared with the maximum allowed by building regulations
c) EV charge point
d) predicted water consumption no more than 110 litres/person/day
e) separate internal bin collection for recyclables
f) private garden compost bin and providing evidence demonstrating:
g) sustainable drainage and adaptation to climate change
h) selection of sustainable materials shall be submitted to and
approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.

13. 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 the development is occupied.

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

14. Notwithstanding The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the development shall not be constructed other than as self-build or custom build dwelling as defined under the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) and shall be occupied by the person/s implementing the planning approval as their sole or main residence for a period of 3 years from completion of the dwelling.

Reason: To maintain control of development and to ensure development proceed in line with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

15. 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 (each shepherds hut and

2 bedroom dwelling), and this calculation has been submitted to and approved in writing by the Local Planning Authority
b) The mitigation package addressing the additional nutrient input arising from the development addressing all of the additional nutrient load imposed on protected European sites by the development shall be implemented in full prior to first occupation in accordance with the agreed details in the section 106 agreement.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy SD1, SD2, and SD9 of the South Downs Local Plan (2014-33

12. **TREE PRESERVATION ORDER NO: 2356 - OAK TREE IN THE REAR GARDEN OF 52 CANON STREET, WINCHESTER**

The report was introduced. Members were referred to the Update Sheet which stated that the Oak tree concerned was considered to be a semi-mature tree.

During public participation, Dr Sandra Steele spoke in objection to the report and answered Members' questions thereon.

The Committee proceeded to ask questions and debate the report.

During debate, the council's Senior Planning and Litigation Lawyer clarified the test to confirm a tree preservation order and set out the position regarding liability and compensation claims raised by the objector.

RESOLVED:

That, having taken into consideration the representations received, Tree Preservation Order 2356 be confirmed, as set out in the report.

The meeting commenced at 9.30 am, adjourned between 12.55 pm and 2 pm and concluded at 3.55 pm.

Chairperson