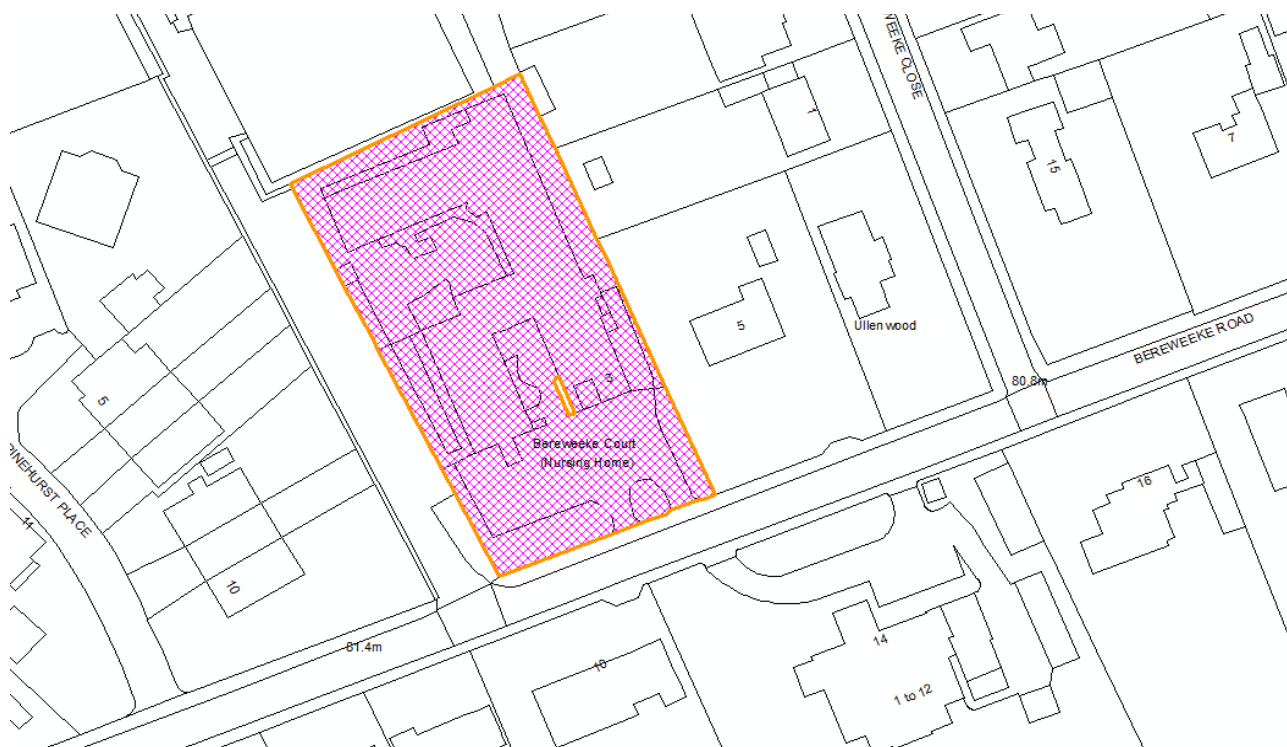


Case No: 23/02001/FUL
Proposal Description: Demolition of redundant care home and associated outbuildings, redevelopment of the site to provide 32 apartments including 50% affordable housing and associated alterations to site access, sub-station, hard and soft landscaping, car parking, cycle store, plant room, refuse and recycling store, drainage, boundary treatments and other associated works.
Address: Bereweek Court Nursing Home, Bereweek Road Winchester Hampshire SO22 6AN
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr Jamie Pearson
Case Officer: Mrs Megan Osborn
Date Valid: 7 September 2023
Recommendation: Permit
Pre Application Advice Yes

Link to Planning Documents

[Link to page – enter in reference number 23/02001/FUL](#)

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



General Comments

The application is an addendum to the original planning application that was reported to planning committee on the 5th February 2025.

The previous recommendation was for approval as it is considered that the proposal would not result in a harmful impact on the character of the surrounding area or result in any material planning harm to the neighbouring amenities. The proposal provides a development in a sustainable location with no harm to highway safety. This development is proposing 50% affordable housing on the site. Therefore, this development is, on balance, acceptable and in accordance with the development plan. The justification for this is set out in detail in the original appended report.

Since the planning committee's decision to approve this application on the 5th February 2025, further information has been submitted in relation to the sensitive noise receptor proposed on this site and the existing neighbouring padel tennis courts to the north.

The application has been amended a number of times, firstly to remove the balconies on the northern elevation and to replace with Juliet balconies (plan number 3002 P10 - submitted 30/4/25). This was to reduce potential noise impact from the padel courts on the occupiers of the new accommodation. There were still concerns in relation to the nature of the Juliet balconies and their full openings on this elevation and the potential noise from the padel courts. Therefore, it was considered that further changes were needed on this elevation. The Juliet balconies were then removed to accommodate this (plan number 3002 P11 – submitted 19.06.25).

In addition to this a further noise technical note and a building ventilation strategy and overheating assessments have been submitted.

This application has therefore been referred to committee again due to the proposed plan changes and the additional information submitted for further consideration.

The amendments have been re-advertised.

Representations

A further 3 objections were received in relation to the revised information.

- Impact from the development to the trees
- The padel tennis courts would result in a noise impact on the residents of this development
- This results in windows overlooking the neighbours
- The proposal results in overdevelopment of the site

City of Winchester Trust – No objection

Planning assessment

The previous report has been appended to this addendum report. Additions to the addendum report in relation to noise and a change to the plans condition are outlined below:

Noise

Amendments have been made to remove the balconies altogether from the northern elevation of the proposed development. Further balconies have been proposed on the western elevation with screens on the northern elevation of the balconies, which face the service road that leads to the racquet club

Policy DM17 requires all new development to be satisfactory in terms of its impact, both on and off site. Specifically, development should not cause unacceptable levels of pollution to neighbours by means of noise, smell, dust or other pollution.

Furthermore paragraph 200 of the NPPF (2024) considers the agent of change considerations, which states:

‘Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.’

The proposed changes have been assessed in relation to the relevant local plan policy and the NPPF as stated above.

The starting point is that there are already receptors associated with the current nursing home use of the site, therefore the changes that the proposed development introduces to these receptors was assessed.

Assessment was carried out in relation to the relevant policies and additional government noise guidance on how planning can manage potential noise impacts in new development.

The proposed changes have been made:

- Revised specification of the northern boundary fencing, including an increase in height from 1.5 to 1.8 metres and the use of a denser timber to provide enhanced acoustic screening (Section through the northern boundary BER-UBU-XX-XX-DR-L-2000 P01). This is proposed to be conditioned.
- Removing the balconies and Juliet balconies serving the dwellings on the northern elevation of this proposed block
- The addition of two balconies on the western elevation. These would have acoustic screens on the northern elevations (3176-APLB-XX-XX-DR-A-3000 P12)

- Amended glazing specification of the northern elevation and part of the flank elevations with glazing systems with enhanced acoustic properties, and amendments to some window positions.

Further information has been submitted in the form of an amended noise technical note, an overheating analysis and a building ventilation strategy.

The alterations proposed by the applicant are necessary additional measures to ensure that noise levels from the neighbouring padel courts are mitigated to acceptable levels.

Further comments have been made in relation to the proposed amendments from the Environmental Health Officer –

Environmental Health are now in a position not to raise concerns subject to appropriate conditions relating to the provision of the acoustic fence as per submitted drawings and a ventilation strategy (Passive and MVHR) as detailed in the overheating analysis and improved glazing to the north facade. In the revised noise report (table 3.2) this now references enhanced thermal glazing to the first and second floors of the Northern facade with an R_w of 35 dB – this will need to be conditioned.

Conclusion

The changes presented in the amended plans and reports amount to a change from the original proposal. In accordance with the NPPF para 200 this goes towards addressing the concerns of the Racquets Club. The Applicant as the Agent of Change has amended its proposals to ensure that adverse significant effects have been mitigated. It is therefore considered that the additional proposed measures/changes are now compatible with the Agent of Change principle in the NPPF and planning policy DM17 of the Local Plan Part 2.

Conditions

As a result of the changes to the plans, condition 2 has been updated:

2. The development hereby permitted shall be carried out in accordance with the plans listed below unless otherwise agreed in writing by the local planning authority:

- Location Plan: 3176-APLB-XX-XX-DR-A-1000_P5
- Location Plan with Tree Survey: 3176-APLB-XX-XX-DR-A-1001_P5
- Location Plan with Topography: 3176-APLB-XX-XX-DR-A-1002_P4
- Proposed Site Plan: 3176-APLB-XX-XX-DR-A-1003_P7
- Proposed Block Plan: 3176-APLB-XX-00-DR-A-1004_P5
- GA Plan Proposed Ground Floor: 3176-APLB-XX-00-DR-A-2000_P17 GA
- GA Plan Proposed First Floor: 3176-APLB-XX-01-DR-A-2001_P12 GA
- GA Plan Proposed Second Floor: 3176-APLB-XX-02-DR-A-2002_P13
- GA Plan Proposed Roof Level: 3176-APLB-XX-03-DR-A-2003_P9
- Proposed Bin Store & Substation: 3176-APLB-XX-XX-DR-A-2010_P5
- Proposed West Elevation: 3176-APLB-XX-XX-DR-A-3000_P12
- Proposed East Elevation: 3176-APLB-XX-XX-DR-A-3001_P13

- Proposed North Elevation: 3176-APLB-XX-XX-DR-A-3002_P11
- Proposed South Elevation: 3176-APLB-XX-XX-DR-A-3003_P10
- Proposed Elevation Bay – Type A: 3176-APLB-XX-XX-DR-A-3020_P2
- Proposed Bay Elevation Type B & Section through Balcony: 3176-APLB-XX-XX-DR-A-3021_P3
- Proposed Elevation Bay – Type C: 3176-APLB-XX-XX-DR-A-3022_P3
- Proposed Contextual Street Elevation with Existing Building Outline: 3176-APLB-XX-XX-DR-A-3040_P4
- Proposed Contextual Street Elevation: 3176-APLB-XX-XX-DR-A-3041_P1
- **Section through the northern boundary – BER-UBU-XX-XX-DR-L-1000-P1**
- **Landscape layout – BER-UBU-XX-XX-DR-L-P10**

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 to comply with Section 91 of the Town and Country Planning Act 1990.

A further condition in relation to the submitted noise information is proposed:

24. Development shall proceed in accordance with the measures set out in the submitted overheating analysis (dated 10.06.25 Rev B) and technical noise report (2501220-ACE-XX-00-RP-C-0611BE). Thereafter, the measures as set out in these reports shall be permanently maintained and retained in accordance with the approved details.

Reason: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded.

In line with the update sheet from the previous committee in February 2025, there were changes to be made to previously proposed conditions:

Change condition 7:

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

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

Remove repetition of reason to condition 19:

No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person

suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

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

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

Remove wording to condition 20:

20. Following the removal of the trees hereby consented, new trees shall be planted as shown in the planting plan ref:- BER-UBU-XX-XX-DR-L-3000 P06 provided by UBU design and within a period of 2 years. Planting of the new trees shall take place during the planting season between November and February. If, within a period of 2 years from the date of planting, the trees (or any other trees planted in replacement for them) are removed, uprooted, destroyed or die, new trees of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent.

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

Amend condition 22:

22. Prior to the occupation of the development hereby permitted a parking management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the allocation of bays for the housing sold with permission to park, and details of the parking for delivery vehicles and an enforcement strategy for any unpermitted parking. The approved details shall be fully implemented for the lifetime of this use before development commences.

Reason: To take account of the limited parking provision for the site and to ensure that the operation of the site is undertaken to minimize its impact on the surrounding area, its residents and the local highway network.

Appendix 1 – officer report

Case No:

23/02001/FUL

Proposal Description:	Demolition of redundant care home and associated outbuildings, redevelopment of the site to provide 32 apartments including 50% affordable housing and associated alterations to site access, sub-station, hard and soft landscaping, car parking, cycle store, plant room, refuse and recycling store, drainage, boundary treatments and other associated works.
Address:	Berewecke Court Nursing Home, Berewecke Road Winchester Hampshire SO22 6AN
Parish, or Ward if within Winchester City:	St Barnabas
Applicants Name:	Mr Jamie Pearson
Case Officer:	Mrs Megan Osborn
Date Valid:	7 September 2023
Recommendation:	Permit
Pre Application Advice	Yes

Reasons for Recommendation

The development is recommended for permission as it is considered that the proposal would not result in a harmful impact on the character of the surrounding area or result in any material planning harm to the neighbouring amenities. The proposal provides a development in a sustainable location with no harm to highway safety. This development is proposing 50% affordable housing on the site. Therefore, this development is, on balance, acceptable and in accordance with the development plan.

General Comments

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

Amendments to Plans Negotiated

Revisions were made in March 2024 after comments from officers requesting amendments. The amendments proposed:

- The reduction of units from 36 to 32 still including 40% affordable housing,
- An increase in parking from 16 space to 18 space,
- Access to car club provision,
- More provision of cycle storage,
- Inclusion of exhaust air heat pumps,
- Inclusion of PV panels on the roof,
- Increased planting on site, including five replacement trees,
- 10% Biodiversity net gain,
- A change in the overall design of the building.

The amended plans were readvertised for 21 days.

Further amendments were made to include:

- A car club space, off site,
- 50% affordable housing
- Update to the phosphate and nitrate mitigation calculations.
- Suite of information regarding policy CP6

Site Description

This site is located within the city of Winchester on the northern site of Bereweeke Road. The site is 3006.68 m2.

To the west of the site is the access road to the Bereweeke Road Tennis Club with padel tennis courts directly to the rear, north, of the site. To the eastern boundary of the site there are residential dwellings, no.5 fronting onto Bereweeke Road and two houses on Bereweeke Close to the rear. The area is mainly made up of residential properties.

There is an existing building on the site which is currently unoccupied. The building was last used as a 50 bed care home with 18 parking spaces some landscape areas around the building and a small amount of parking to the front. The building has been used as a care home for over 25 years.

The site is accessed via two vehicle crossovers which both lead into Bereweeke Road.

Proposal

Demolition of redundant care home and associated outbuildings, redevelopment of the site to provide 32 apartments including 50% affordable housing and associated alterations to the site access, sub-station, hard and soft landscaping, car parking, cycle store, plant room, refuse and recycling store, drainage, boundary treatments and other associated development.

Relevant Planning History

72/03014/OLD - Erection of administrative block to existing nursing home following demolition of old house (revised elevation). Construction new vehicular access. The scene being laid out and construction to the satisfaction of the Highway Authority. Approved 7th July 1972.

76/01138/OLD - Erection of extension to provide x-ray unit and dark room. Permitted 22nd July 1976.

87/00327/OLD - First floor rear extension. Refused 24th November 1986.

93/00249/OLD - First floor rear extension. Permitted 18th November 1993.

94/00320/OLD - Enclosure of porch to form office, ramps, planters and associated landscaping. Permitted 18th March 1994.

00/02007/FUL - Provision of new external lift shaft and escape stair. Permitted 7th November 2000.

Consultations

Service Lead – Built Environment (Urban Designer) –

- 25th October 2023 – objection
- 16th April 2024 – amendments have been made and no objections are raised.

Service Lead – Engineering (Drainage) -

- No objections (condition 9)

Service Lead – Sustainability and Natural Environment (Ecology) –

- No objections, subject to a condition relating to the ecology report (condition 10)

Service Lead – Sustainability and Natural Environment (Landscape) –

- No objections

Service Lead – Sustainability and Natural Environment (Trees) –

- 28th September 2023 – objection due to lack of information
- 8th November 2023 - New information was submitted
- 15th November 2023 – no objections, subject to conditions. (conditions 14-20)

Service Lead – Public Protection (Environmental Health) –

- No objection, subject to conditions relating to lighting and a Construction (conditions 11 and 12) Management Plan

Service Lead – New Homes Delivery (New Homes) –

- No objections

Hampshire County Council (Flood Authority) –

- No objections

Hampshire County Council (Highway Authority) –

- 18th October – objection
- 21st June – holding objection
- 21st August – no objection, subject to S106 for contribution and car club space

Natural England -

- No objection subject to an HRA being carried out

Southern Water -

- No objection

Representations:

Councillors – Cllr Learney, Cllr Batho, Cllr Morris – comments made before the amended plans were submitted.

‘I am writing to object to this application as one of the ward Councillors for St Barnabas on behalf of myself and fellow Councillors, James Batho and Jonny Morris who all believe the proposal represents overdevelopment of the site.

Height and massing: While the existing building extends close to the edges of the plot it is currently at one/two storey height with varied rooflines which help the building recede into the background with no sense of overlooking neighbouring properties.

The proposal for three stories plus a pitched roof is a considerable increase on the existing mass and is in the form of a fairly solid block, increasing the impact on the street scene and neighbouring properties. The orientation of the roof adds to the imposing and blocky nature of the proposed development. The roof orientation also fails to make best use of the solar panels proposed.

The development will loom over neighbours' homes and gardens, particularly number 5 Bereweke Road. While private outdoor space is important for flats the balconies will increase the degree of overlooking into neighbouring gardens as well as increasing light at night.

Topography: The topography of the road is important when considering the appropriate height and massing and the effect on the street scene. The northern side of the road rises up from the road increasing the effective height and mass of any significant development. Most of the large buildings used as precedents are on the southside where the land falls away reducing their height and mass from the street.

Character of the area: The design is unsympathetic to the area -while there have been a couple of modern style developments in the road these are either individual homes or well concealed at street level. The general effect is of traditional individual large houses well-spaced from neighbours and with ample outside space. Where housing was originally built, or redevelopment has taken place to three stories the upper story has typically been in the eaves reducing the height and mass. Hipped roofs are also very common further reducing the massing. Bereweke House opposite is a good example. Bizarrely page 11 of the design and access statement has an illustration much more in line with local character but totally different to the design proposed. We support the comments of the tree officer with regard to the proposals for the trees - this is a very leafy area with mature tree cover which should be maintained. Overall, the amenity space is very little for the number of flats and fails to cater for any children who might live there, again not reflecting the open nature of the area.

Parking and access: While the site is in a sustainable location, close to shops, schools and public transport and we welcome proposals that minimize parking levels we question how realistic the number of parking spaces is for a suburban rather than city centre location designed to be capable of housing over 100 people. There is no provision indicated for visitor and delivery vehicles despite the proposal within the travel plan to promote home delivery services. The levels of trip generation

considered are out of date should allow for a significant number of deliveries to be made and appropriate provision made. There are very limited on-street parking spaces, and these are well used. The County Council has indicated it will continue the practice of not allowing new developments additional on-street parking permits.

Visibility: from the access point is very important as this is a road with very heavy pedestrian use, the landscaping should allow for this and either separate provision for pedestrian access made or the shared space increased. The proposal for the bin stores to open directly onto the area of the access road marked for vehicles is very unsatisfactory and potentially dangerous.

Principle of development: The three ward Councillors do not object to the principle of redeveloping the site and welcome the proposed inclusion of affordable homes but object to the proposed scale of the development and its design.

We believe this development is contrary to local plan policies: Policy CP13 (High Quality Design), Policy CP15 (Green Infrastructure) & CP16 (Biodiversity), CP20 (Heritage and Landscape Character) DM6 (Open space provision) DM15 (Local Distinctiveness) & DM16 (Site Design Criteria) DM 17 (Site development principles) DM18 (Access and Parking).'

City of Winchester Trust:

Comments made before amended plans:

The Trust feels that the demolition of the existing building requires justification. We also question the size of the proposed building and feel that the application is an overdevelopment of the site. The number of car parking spaces is inadequate for the number of dwellings and will create more parking clutter in Berewecke Road, and the development itself will create a considerable increase in vehicle movements.

Comments made after amended plans:

Any development represents a balance of elements in terms of viability, housing provision, design, environmental impact, parking and transport. The changes made to the original application address most of the Trust's concerns. However, there remains the question of possible over-development on a relatively constrained site, and we continue to have reservations about the amount of parking provided.

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

- Overlooking
- Overshadowing
- Traffic
- Lack of parking
- Noise
- Lighting impact
- Too dense
- Out of character
- Impact on community and services
- Over development
- Too high

- Loosing diversity to the area
- Environmental impact

11 Objections after the amended plans were submitted citing the following reasons (the previous comments still apply):

- Too high still
- Still too dense
- Overlooking
- Impact on privacy
- Out of character
- Traffic
- Lack of parking

52 Supporting Representations received from different addresses citing the following material planning reasons, 27 of the supporting comments we made from an address within the Winchester District:

- This application is providing much needed affordable housing
- The building is more sustainable
- This is a good use of a brownfield site.

Winchester and Eastleigh design review panel – 14th November 2023 – the panel were not reconsulted on the amended plans.

Comments made before amended plans were submitted:

- The proposals are seen as an overdevelopment of the site,
- Good habitable spaces for people are not being achieved,
- The design is not successful in providing well designed dwellings nor in its aesthetic and material qualities due to the pressures to achieve the number of units on the site resulting in too high a density and in decision over the nature of the building design (modern, vernacular modern, traditional?); and,
- The lack of design cohesiveness has led to a lack of design quality.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

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

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)

Policy DS1 – Development Strategy and Principles

Policy MTRA1 – Development strategy market towns and rural area

Policy MTRA2 – Market Towns and Large Villages

Policy CP2 – Housing mix and provision

Policy CP3 – Affordable housing provision on market led housing

Policy CP6 – Local services and facilities

Policy CP10 - Transport

Policy CP11 – Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP14 – The effective use of land

Policy CP16 – Biodiversity

Policy CP17 – Flooding, Flood Risk and the Water Environment

Policy CP20 – Heritage and Landscape Character

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 Design Principles

DM18 – Access and Parking

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Other relevant documents

Winchester District Local Plan 2020-2040: Regulation 19 Consultation

Climate Emergency Declaration Carbon Neutrality Action Plan 2020 – 2030

Statement of Community Involvement 2018 and 2020

Landscape Character Assessment December 2021

Biodiversity Action Plan 2021

Position Statement on Nitrate Neutral Development – March 2022

Nature Emergency Declaration

Planning Considerations

Principle of development

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

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

The site is located within the area of Winchester. Winchester has its own settlement boundary where the principle of development for housing is considered acceptable. This site is located within this boundary and the proposals are in accordance with policy DM1 of the Local Plan Part 2.

Policy CP2 of the Local Plan Part 1 considers housing mix. The policy requires that there should be a majority of 2 & 3 bed dwellings, unless local circumstances indicate an alternative approach should be taken.

The mix of apartments comprise of:

- 10x1 bedroom apartments
- 20x2 bedroom apartments
- 2x3 bedroom apartments

This provides over 50% 2 and 3 bedrooms. It is therefore considered that this proposal would sufficiently meet the criteria of policy CP2 of the Local Plan Part 1.

The number of affordable homes the applicants are proposing is 16, which is 50%, this is over the required quantum of the provision of 40% affordable housing, in line with CP3 of the Local Plan. 50% is therefore proposed and is to be secured via a S106 Legal Agreement. This additional provision is a significant contribution above the requirements of the policy and is to be considered in the planning balance.

Policy CP6 in LPP1 is also relevant to this proposal. This policy resists the loss of premises or sites that provide services and facilities, such as this, unless it can be demonstrated that:

- The site/premises are not required because the service or facility has been satisfactorily relocated or is no longer needed to serve the locality.
- The site or building has no reasonable prospect of being used for an alternative service or facility which would benefit the local community.

Account would be taken of:

- Whether the loss of the service or facility would cause harm to those living within the neighbourhood.
- Whether the loss of facility would have a detrimental impact upon the overall vitality and viability of the settlement.
- Whether the loss is part of an agreed plan to provide improved local service in equally accessible locations.

The main thrust of this policy is to ensure the provision of local services and facilities throughout the district, especially those that provide opportunities for communities to access them without having to travel excessive distances. Such local services fall into the following categories:

- Community centres and village halls;
- Indoor sports and recreation facilities, including allotments;
- Educational, health and care establishments (including nursing /care homes);
- Premises for the emergency services, public utilities and infrastructure;

- Local pubs and shops;
- Libraries, cultural and arts facilities;
- Churches, places of worship and cemeteries/burial grounds.

These facilities are vital in providing overall sustainability of a neighbourhood. Therefore, it is important to retain these facilities and services and the land use of the sites that provide for them, where possible, and encourage new facilities where the existing use is not viable/acceptable. Policy CP6 looks to resist the loss of these facilities for this reason.

The applicant has submitted a supporting document in relation to this policy and the requirement to keep a facility or service on the site, in this case a care home. The report explains that a marketing process has taken place for this site in relation to policy CP6. The relevant information is as follows:

- The site was marketed in April 2022, but was not marketed to the open market and was put forward to prospective purchases only, with an amount of time more limited than would normally be expected. The applicant has set out the economic factors for this and constraints of the pandemic.
- The owner settled upon a shortlist of criteria with a primary focus on both care and later living sectors and also approached a few parties that might consider the purchase of the site for residential use (C3 use class);
- 10 parties were approached, 5 of which were care providers;
- In June 2022 a total of 8 offers were received, 3 were unconditional and 5 were subject to planning, with 2 parties considering a care use on a subject to planning basis;
- The owners, due to timings, proceeded on the best and final offers on the basis of unconditional offers only;
- 4 unconditional offers were received, none of which were care home developers due to the conditional nature of their offers.

The report goes on to state that the existing site is not fit for purpose for a care facility due to the design and care standards needed for modern care homes. It highlighted that there were clear operational constraints that create inherent financial burdens and inefficiencies for its use as a care home facility. It goes on to state that the LPA has a considerable supply of approximately 900 bed spaces for the elderly which Winchester City Council considered is a surplus of 261 beds.

In addition to this the report states that, no care providers wanted to take the building on in its current form. The report states that, 'care providers are looking for sites where a provision of around 70 beds can be provided and it is unusual for them to go below 60 beds.' The applicant also states that the site is not large enough to accommodate 'facilities of this size', with the care standards needed.

This might be the case, however, there was interest in this site from care home providers, and no evidence was provided regarding what their conditional offers were.

CP6 asks applicants to demonstrate that 'the site is not required because the service or facility has been satisfactorily relocated or is no longer needed to serve the

locality'. The existing facility has not been relocated, however some evidence has been set forward that shows that it is no longer needed to serve the community.

The applicant has drawn attention to another care home site, Brendon House on Park Road in Winchester, which has recently closed and is now on the market, as evidence that similar sites are not viable. However, officers have examined the marketing process being undertaken at the Brendon House site and note that this is an open and transparent process, inviting both conditional and unconditional offers from various uses. Whereas, based on the information provided, the Berewecke Court marketing did not expose the site to the widest market and an unconditional offer was accepted by the owners for a residential use despite the site currently not having a residential planning use.

Even if it had been demonstrated that a Care Home was not viable on this site then policy CP6 still requires that the applicant investigates the prospect of the site being used for an alternative service or facility which would benefit the local community. The supporting text of policy CP6 lists a range of facilities and services that could be an alternative for sites such as this. Again, this would be expected to be explored through an open marketing exercise which does not appear to have happened but rather the application has provided comments on each one of these uses in their supporting information.

Each of the suggested facilities and services have been commented on as follows:

- Community centres, village halls, indoor sports and recreation facilities – the applicant considers these uses to be unneighbourly and would be unviable.
- Educational, health and care establishments (including nursing and care homes) – the applicant considers these are not viable.
- Premises for emergency services, public utilities and infrastructure – the applicant considers the site to be too remote from main arterial routes.
- Local Pubs and shops, Libraries, cultural and art facilities or a church or place of worship and cemeteries – the applicant considers that the site is not well connected to a residential population of sufficient size and scale to merit these uses.

It is considered that there is insufficient evidence to establish that this site is not wholly acceptable for the above uses and therefore there is a conflict with policy CP6. This is afforded moderate weight in the planning balance and final assessment. Failing to complete these exercises completely and robustly does therefore lead to material planning harm however it is clear that there has been a lot of work undertaken to explore the options and some significant constraint to how the marketing was led. It is acknowledged that most modern care home providers would be looking at larger sites than this one.

This in itself would be enough to substantiate a reason for refusal and emerging policy E8 also supports this approach now with a written outline of how these assessments are to be fully undertaken.

The emerging local plan (The Regulation 19 Local Plan), which has been submitted for examination, as noted has a specific policy E8 Local Shops, Services and

Facilities. The revised NPPF (2024) in paragraph 49 sets out that Local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

The emerging plan has been agreed by Full Council and the public examination of the plan is imminent. At this stage there have been minimal objections to policy E8. It is therefore considered that policy E8 can be given moderate weight in assessing this application.

In light of this the applicants provided a further suite of information about the marketing and their model for affordable housing and delivery of that, with the proposal now having been amended to propose 25% more affordable housing than policy CP3 requires. This is a very significant factor in balancing the harm and the benefits.

The scheme is now providing 50% affordable housing on site. This will be a considerable benefit for the community and needs to be weighed against the harm arising due to the lack of thorough marketing of this facility as noted above. In conclusion, it is considered that the benefits of granting planning permission to providing 50% of the site's residential accommodation as affordable housing outweighs the harm caused by the loss of the facility site and therefore approval is recommended. In addition to this the in weighing up all the considerations, the proposal is located within the development boundary of Winchester, it meets the housing mix and is sustainably located.

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 character of the area is made up primarily of large buildings, the majority of which are residential dwellings with some buildings being in use for educational, recreation and community facilities. The grain of the road is made up of large buildings set back from the road with the vegetated frontages, with mature trees.

The proposal is for the demolition of this existing building on site and its replacement with one large building to house 32 apartments. Amended plans have been submitted as a direct response to the comments made by the urban design and planning officers. It was considered that the site was over developed, and although three storeys could be accepted on this site, it was thought that this should be confined to the western arm and the north western corner, taking that bulk away from the front south eastern corner on the street scene and away from the neighbouring

property at no.5 Bereweek Road. It was also felt that the three gables proposed to the front was incongruent with the street scene.

As a result of the comments made, amendments were made to the number of units on the site from 36 to 32, changes to the overall mass and bulk of the building by removing the third gable to the front, and a change in the architectural features of the building.

The removal of the third gable to the front has resulted in a more coherent design in the street scene. The main bulk of this building is now set back within the site, which addresses the character of the area. Although higher than other dwellings along the street the width is more in keeping and the one prominent gable to the front is more consistent with the widths of neighbouring buildings, resulting in a more consistent design in the street.

The changes made to the architectural features of this building are also considered acceptable. The change in materials on the elevations softens the building overall and results in a building that is more consistent with the character of the area and responds to the spatial characteristics of this site and the surrounding area.

Amendments were also made to the bin store, proposed to the front of the site. It was considered that the proposed pitched roof is unnecessary as it was too prominent in the street. The pitched roof was amended to a flat roof with more planting proposed to the front. It is considered that this results in a more subservient building in relation to the main building and is acceptable.

Overall, it is considered that, although this is still a large building, the design is well worked through and of high quality. It has successfully evolved from its original iteration through collaboration between the applicant and council officers. No major issues with the design remain and the bulk, scale and mass have been generously sculpted to respect neighbouring buildings and the wider context.

Therefore, it is considered that the proposal complies with policies CP13 of the LPP1, DM15, DM16 and DM17 of the LPP2 and the supplementary planning document High Quality Places in that the design, layout, mass and bulk of the proposed dwellings is acceptable.

Development affecting the South Downs National Park

The application site is located 1.14km from the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks 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.

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 rear elevation backs onto the paddle tennis courts at the Winchester Racquets Club. There are balconies and windows on this elevation, which are approximately 4m away from the rear boundary with the club are considered acceptable as they wouldn't result in any unacceptable overlooking towards private residential amenities.

The rear, north eastern corner of the eastern elevation projects within 4m of the side boundary with the houses on Bereweek Close. There is a total distance of approximately 33m between the proposed development and the dwellings on Bereweek Close. There are three windows on the first floor and these are to living rooms and one to a bedroom. There is one further bedroom window on the second floor. Due to the distances between these buildings, it is considered that the proposed windows would not result in an unacceptable level of overlooking towards to amenities of the dwellings on Bereweek Close that would warrant the refusal of this application.

The building then steps away from the eastern boundary by a further 11m resulting in a gap between the building and the boundary of 15m. The neighbouring property to the east, no 5 Bereweek Road, is closer than the other dwellings on Bereweek Close. There are windows on the side elevation of this dwelling, which is approximately 7m from the boundary with the site. The set back in the building in this location has reduced the harm from proposed windows on this elevation. It is therefore considered that the proposed windows on the eastern elevation do not result in any material planning harm to the amenities of the neighbouring properties to the east.

There will be no impact on the amenities of neighbouring properties to the south of the site.

There are proposed windows and balconies on the western elevation, however the access road to the Winchester tennis club, Lynch Road, is between the proposed building and neighbouring dwellings on Pinehurst Place and therefore an overlooking and overbearing impact will be avoided.

A Daylight and Sunlight report has been carried out by the applicant. It assessed the impact of the building in relation to the effect this would have on the daylight and sunlight of the neighbouring buildings. It concludes 'the proposals will not have a

substantial effect on the daylight and sunlight they enjoy and will achieve the BRE guidelines. Therefore, it is considered that this development would not result in any material planning harm in relation to overshadowing and is found acceptable.

Therefore, it is considered that the proposal complies with policy DM15, DM16 and DM17 of the LPP1.

Sustainable Transport

Bereweeke Court is a classified road, subject to a 30mph speed limit, benefiting from on street parking and a road wide enough to benefit two-way traffic when on street parking is not utilised. The site is located to the west of Peter Symonds college, north of the University of Winchester and north-west of the City Centre and Railway Station.

Bereweeke Road provides access to Stockbridge Road, Cheriton Road to the west and B3420 Andover Road to the east. The site is currently bound by residential properties to the south and east, with Lynch Road to the West and Winchester racquets and fitness to the north. Lynch Road is a classified road, subject to a 10mph speed limit. It is a single carriageway, providing connections to Lynch Close and Kyneglis Road.

Stockbridge Road, which is situated to the west of the site, is accessed via a mini roundabout providing further routes to the town centre to the south and Stockbridge to the north. Stockbridge Road is subject to a 30mph speed limit and benefits from continuous footways along both sides of the carriageway.

Cheriton Road also links directly to Stockbridge Road and Bereweeke Road via a mini roundabout providing further access to Romsey Road. These are residential streets, providing connections to Winchester City Centre to the east and the A3090 to the west. Just beyond the site is Andover Road. Andover Road is a classified road and is subject to a 30mph speed limit within the vicinity of the site, providing further links to Winchester City Centre to the south and access to the A34, A30 to the north.

Personal Injury Accident (PIA) data: The applicant has supplied accident data from Hampshire Constabulary. The data covers the Bereweeke Road corridor and indicates a cluster of accidents around the access into Peter Symonds College. The accident record has been checked with Hampshire County Council's Safety Engineering Team who have confirmed that they are not currently monitoring Bereweeke Road, and the identified accidents do not have a similar causation factor which requires mitigation. The Highway Authority are therefore satisfied that the trip generation associated with the proposed site will not exacerbate any existing accidents in the area.

Walking: There are a number of footways in the vicinity of the site as summarised in the Transport Assessment (TA), which provides links to the facilities in the surrounding area. These include links to the dental surgery, local shopping facilities, schools and colleges.

Cycling: There is currently no dedicated cycle route in the vicinity of the site, but the majority of the roads surrounding the proposed development are subject to 30mph, with good forward visibility, which provide suitable roads for cycling.

National Cycle Network (NCN) Route 23 is the closest cycle route to the site, located to the south of Winchester. The cycle route can be accessed along Water Lane, circa 1.5km from the site, running between Reading and Southampton via Basingstoke, Alresford, Winchester and Eastleigh.

Bus: The closest bus stop is located on the western end of Bereweek Road, 300m from the site, this stop provides services between Winchester and Kings Somborne up to three times a day Monday – Friday. A more regular service providing access to Winchester 5 times a day on Saturdays and services to Broughton 3 times a day on Saturday is also served by this stop.

The second closest bus stop is located on Stockbridge Road situated 0.3km from the site. This stop provides a frequent service between Winchester and Winnall, every 20 minutes, and hourly services available to Sparsholt and Salisbury available Monday – Friday.

Rail: Winchester Railway Station is located circa 1.3km from the site. Winchester Rail Station provides frequent hourly connections to London Waterloo, Portsmouth Harbour and connections to Bournemouth every forty minutes.

WCHAR (walking, cycling, riding assessment review): To assess the walking and cycling facilities available from the site to nearby facilities and amenities, the applicant has undertaken a WCHAR, which is considered acceptable. The WCHAR summarises that there are opportunities to upgrade the walking and cycling provision from the site towards the identified facilities. The Highway Authority has reviewed the proposed improvements and agrees that there are measures which could be implemented as per the WCHAR recommendations and ongoing work to review improvement measures within the Winchester area.

Access: The vehicular access to the proposed new 32 homes will be via a new singular vehicle access, with the closure of the two existing vehicular accesses. The new access is to be located east of the site frontage and between the two existing access points.

Visibility splays for the new access have been shown on the proposed site layout plan. The Highway Authority is satisfied appropriate visibility can be achieved subject to a condition that any vegetation within the splay to be either lowered to 0.6m or set back appropriately into site for any section set within the splay.

The pedestrian access to the site is proposed to remain as existing, however an additional pedestrian footpath will be provided along the access road, providing connections to the car park and main entrance of the building of Bereweek Road. The Highway Authority support the additional pedestrian footpath.

Parking: The proposed development falls significantly short of WCC's adopted parking standards. The Highway Authority previously requested a parking survey of

Bereweeke Road to understand whether there was any on-street parking availability in the locale, which has been provided within the Transport Statement (TS), along with further justification behind the under provision of parking on site.

Against WCC's parking standards, the site would require a total 48 unallocated or 62 allocated parking spaces (including for visitors). The development only proposes a total of 18 parking spaces, with 2 spaces allocated to visitors and 2 disabled spaces. It is noted that 16 of the units will be sold as 'car free', which results in an adjusted parking requirement of 39 spaces. This is tabulated below for clarity.

No. of units	Parking Requirement	Proposed Parking Provision	Shortfall
32	62	18	44
16 (adjusted for car free units)	39	18	21

To justify the under provision in parking, the TS sets out the following rationale:

- The accessibility of the site to bus and rail facilities,
- Half of the development will be marketed as car free,
- The applicant is offering to fund the provision of a car club space on Bereweeke Road,
- Census data indicates that flats have a lower car ownership than houses, which is a nuance not picked up within WCC parking standards; and
- There are parking spaces available within the vicinity of the site on Bereweeke Road to account for the lack of visitor spaces.

A parking survey on Bereweeke Road has been undertaken to determine the occupancy of on-street parking spaces. The survey indicates that 2 bays are free, which the applicant has incorporated into the total parking provision for the site, totalling 20 bays. Officers do not agree that these spaces can be considered as part of the overall parking provision for the site because the spaces will not necessarily be available at all times, particularly because the survey did not review parking availability during daylight hours when visitors are likely to travel to the site.

The TS also sets out that there are parking spaces available within zone E; however, permits are currently unavailable to new residents and therefore cannot be considered as part of the parking provision for this site. This would also need to be made clear to any future occupants of the site.

A further solution of providing a car club space is provided. As requested, a plan showing the car club space has been submitted. This is on the southern side of Bereweeke Road. Officers considered this to be acceptable and would require a payment of a £15,000 contribution to fund the Traffic regulation order (TRO), which will need to be paid prior to commencement of the development.

The applicant has also undertaken further work to mitigate against the under provision in parking.

A Car Parking Management Plan will be provided which ensures that only properties sold with a parking space can park on site, and any units which are sold on and no longer require the parking space can be reassigned (condition 22).

Furthermore, the needs of sustainable transport have been prioritised by providing ample, covered cycle parking facilities. The applicant has justified, sufficiently, that the level of parking provided on this site is acceptable.

The emerging local plan (The Regulation 19 Local Plan), which has been submitted for examination, does have a specific policy T2 covering Parking for New Development. The revised NPPF (2024) in paragraph 49 sets out that Local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

The emerging plan has been agreed by Full Council and the public examination of the plan is imminent. At this stage there have been objections to the policy although it is consistent with the aims of the NPPF to promote sustainability. It is therefore considered that policy T2 can only be afforded very limited weight in assessing this application.

Having taken all the information submitted into consideration, it is concluded that although the proposals do under provide in relation to the current Winchester Parking Standards, the proposal is considered, on balance, acceptable. The applicant has demonstrated, in the supporting information, that the site is located within easy walking distance of a range of facilities and services and there is suitable access to busses and are proposing a car club facility for the site.

Therefore, although this proposed development does not meet the requirements of in policy DM18 (i) of the LPP2, in that it doesn't provide parking in accordance with the parking standards, it does meet the requirements of the other sections of this policy and will provide an active, sustainable development in this location. This development forms part of a movement away from private car dependence by making car parking lower down the travel hierarchy than active travel and access to public transport.

The other transport elements of the proposal, such as access and connectivity are acceptable as detailed above and in accordance with policy DM18 (ii) and (iv).

Ecology and Biodiversity

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 the application was made before 2nd April 2024. This is a statutory exemption (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).

The submitted Ecological Impact Assessment by ECOSA (August 2023) confirms the building to be demolished to be a day roost of common pipistrelle and soprano pipistrelle bats. The proposed mitigation in the form of sensitive timing of the works, provision of a toolbox talk, installation of bat boxes, supervised soft strip of the building and provision of four bat access tiles into the new building are acceptable. Therefore, if this application was recommended for approval, then conditions would be recommended relating to this ecology report.

The presence of a protected species on site has therefore been addressed and the submitted reports are acceptable. The proposal therefore complies with policy CP16 of the LPP1.

Appropriate Assessment.

The proposal is to replace an existing 50 bedroom care home with a 32 unit development.

The supporting nutrient neutrality statement sets out that the proposals to demolish the existing 50 bed care home and replace with 32 apartments will result in a reduction of total nitrogen (TN) and total phosphorus (TP) being generated by the site. A Habitats Regulation Assessment (HRA) has been carried out by the LPA setting this out.

The authority's assessment is that the application has demonstrated nitrate neutrality, complying with the Council's strategy and resulting in nitrate neutral development. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above in this regard.

This represents the authorities 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 2018.

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. Conditions 7 and 8 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

The site is located with the Air Quality SPD area. An Air Quality Statement was submitted with this application which agreed to all items.

Condition 21 is proposed to ensure there is an electric vehicle point installed on this property. This would be in line with the Air Quality SPD Appendix F.

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

Sustainable Drainage

The proposal will have no impact on this because the site is in Flood Zone 1 and has a very low risk of surface water flooding.

The PBA Drainage Technical Note Rev. 5 (25/2/24).

The nearest watercourse is the River Itchen and is located 0.6 miles away from the site. Due to the intervening distance the accidental input of contaminants into the watercourse is not likely. In addition, the application is using a connection to the formal sewerage system and the site will connect to the Harestock WW treatment works. Southern Water have supplied the level of sewage discharge from this site into nearby watercourses.

Therefore, the proposal complies with policy CP17 of the LPP1.

Trees

Policy DM24 of the LPP2 allows development which does not result in the loss or deterioration of ancient woodlands, important hedgerows, special trees, ground flora and the space required to support them in the long term.

The application has been supported by Arboricultural assessments which assess the impact on surrounding trees and protect them during construction. This would be secured by condition if this application was approved.

The proposal will therefore comply with policy DM24.

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

In conclusion the proposal is located within the development boundary of Winchester, where new residential development, is in principle acceptable, it meets the housing mix and exceeds the affordable housing policy requirement. The design is now acceptable in relation to the character of the surrounding area, and it would not result in any unacceptable impact towards neighbouring amenities. The parking provision, whilst low, is considered acceptable through mitigation which should be encouraged in one of the most accessible locations in the District and follows the direction of travel in respect of emerging policy T2. The location of the site needs to be taken into account as one of the most accessible locations within the District.

Considering these positive aspects above the benefits of the scheme, and weight to be afforded to 50% affordable housing provision, are considered sufficient to outweigh the harm from the deficiencies in requirements for meeting CP6. The application is therefore recommended for approval subject to a S106.

Recommendation – Permit

Subject to the following conditions:

Legal Agreement – Heads of Terms

- The provision of 50% affordable social housing units
- Payment of a £15,000 contribution to fund the Traffic regulation order (TRO) for car club space and plan showing its location.

Conditions

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason: To comply with the provisions of Section 91 (1) 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 unless otherwise agreed in writing by the local planning authority:

- Location Plan: 3176-APLB-XX-XX-DR-A-1000_P5
- Location Plan with Tree Survey: 3176-APLB-XX-XX-DR-A-1001_P5
- Location Plan with Topography: 3176-APLB-XX-XX-DR-A-1002_P4
- Proposed Site Plan: 3176-APLB-XX-XX-DR-A-1003_P6
- Proposed Block Plan: 3176-APLB-XX-00-DR-A-1004_P5
- GA Plan Proposed Ground Floor: 3176-APLB-XX-00-DR-A-2000_P13
- GA Plan Proposed First Floor: 3176-APLB-XX-01-DR-A-2001_P9
- GA Plan Proposed Second Floor: 3176-APLB-XX-02-DR-A-2002_P9
- GA Plan Proposed Roof Level: 3176-APLB-XX-03-DR-A-2003_P5
- Proposed Bin Store & Substation: 3176-APLB-XX-XX-DR-A-2010_P5
- Proposed West Elevation: 3176-APLB-XX-XX-DR-A-3000_P9
- Proposed East Elevation: 3176-APLB-XX-XX-DR-A-3001_P9
- Proposed North Elevation: 3176-APLB-XX-XX-DR-A-3002_P8
- Proposed South Elevation: 3176-APLB-XX-XX-DR-A-3003_P9
- Proposed Elevation Bay – Type A: 3176-APLB-XX-XX-DR-A-3020_P2
- Proposed Bay Elevation Type B & Section through Balcony: 3176-APLB-XX-XX-DR-A-3021_P3
- Proposed Elevation Bay – Type C: 3176-APLB-XX-XX-DR-A-3022_P3
- Proposed Contextual Street Elevation with Existing Building Outline: 3176-APLB-XX-XX-DR-A-3040_P4
- Proposed Contextual Street Elevation: 3176-APLB-XX-XX-DR-A-3041_P1

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 to comply with Section 91 of the Town and Country Planning Act 1990.

3. No development shall take place above DPC level 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. A detailed scheme for landscaping and landscaping management, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development above damp proof course level commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity.

5. No development above damp proof course level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

6. No development, or works of site preparation, 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.

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

efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

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

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

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

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

10. Development shall proceed in accordance with the measures set out in Section 5.4.2 'Mitigation Measures' of the submitted ECOLOGICAL IMPACT ASSESSMENT by ECOSA (August 2023), unless varied by a European Protected Species (EPS) licence or a Bat Mitigation Class Licence issued by Natural England. Thereafter, the replacement bat roost features shall be permanently maintained and retained in accordance with the approved details.

Reason: to ensure the favourable conservation status of bats.

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 use commencing. 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. The external lighting will not be switched on between the hours of 22:00 in the evening and 07:00 the following morning.

Reason To protect the appearance of the area, the environment and local residents from light pollution.

12. Prior to work commencing on the site a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Construction parking
- Public communication strategy, including a complaints procedure.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, footpaths and highways.
- Details construction traffic management measures including the provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development
- Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control

Works shall be undertaken in accordance with the approved details and remain in force for the duration of the construction period.

Note to applicant: Further information and guidance for developers on the bullet points above can be found on the Winchester City Council website:

<http://www.winchester.gov.uk/environment/pollution/construction-sites/>

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

13. 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 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.

14. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- CBA11451 v1C January 2024 written by Stefan Rose (CBA Trees) and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

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

15. The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- CBA11451 v1C January 2024 and Tree Protection Plan, CBA11451.02F TPP Telephone – Tree Officer. 01962 848360

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

16. The Arboricultural Officer shall be informed prior to the commencement of construction of specialist foundations under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 8484360

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

17. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- CBA11451 v1C January 2024

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

18. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement Ref:- CBA11451 v1C January 2024: shall be agreed in writing to the Local Planning Authority.

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

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

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

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

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

20. Following the removal of the trees hereby consented, new trees shall be planted as shown in the planting plan ref:- BER-UBU-XX-XX-DR-L-3000 P06 provided by UBU design and within a period of 2 years. Planting of the new trees shall take place during the planting season between November and February.

The precise size, species, location or period of time will be agreed in writing with the council.

If, within a period of 2 years from the date of planting, the trees (or any other trees planted in replacement for them) are removed, uprooted, destroyed or die, new trees of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent.

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

21. An electric vehicle charging point (EVCP) in accordance with the Air Quality SPD (September 2021) Appendix F - Electric Vehicle Infrastructure Specification shall be installed prior to the commencement of the parking hereby approved, and thereafter maintained and kept in good working order for the lifetime of the permission.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations, and in accordance with WCC Air Quality SPD and LPP1 Policy CP13 which requires measures to minimise carbon emissions and promote renewable energy.

22. Prior to the occupation of the development hereby permitted a parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented for the lifetime of this use before development commences.

Reason: To take account of the limited parking provision for the site and to ensure that the operation of the site is undertaken to minimize its impact on the surrounding area, its residents and the local highway network.

23. The visibility splays of 2.4m by 43m, as shown on plan 186.0001-002 P06 in the Transport Statement, dated March 2024, by Paul Basham Associates Ltd shall be retained in perpetuity. No planting or structures above 0.6m shall be permitted within the visibility splay.

Reason: in the interests of highway safety.

Informatives

01. In accordance with paragraph 39 of the NPPF (December 2024), Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

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

In this instance the applicant was updated of any issues after the initial site visit.

02. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, 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.

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

Winchester Local Plan Part 1 - Joint Core Strategy (LPP1). DS1 - Development Strategy and Principles

Policy DS1 – Development Strategy and Principles

Policy MTRA1 – Development strategy market towns and rural area

Policy MTRA2 – Market Towns and Large Villages

Policy CP2 – Housing mix and provision

Policy CP3 – Affordable housing provision on market led housing

Policy CP6 – Local services and facilities

Policy CP10 - Transport

Policy CP11 – Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP14 – The effective use of land

Policy CP16 – Biodiversity

Policy CP17 – Flooding, Flood Risk and the Water Environment

Policy CP20 – Heritage and Landscape Character

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 Design Principles

DM18 – Access and Parking

04. 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.

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

06. 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 on this please refer the Construction Code of Practice

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

07. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk

08. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

09. Replacement of trees is enforceable in law and failure to comply with the condition could result in the issue of a tree replacement notice and prosecution if the local planning authority believes that the criteria of the condition has not been met. Trees make an important contribution to the character of the landscape, creating a green environment which we all enjoy. Winchester City Council encourages the planting of new trees to replace any that are felled in order to maintain the positive benefits that trees provide.

10. 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 planning application was made before 2 April 2024.