

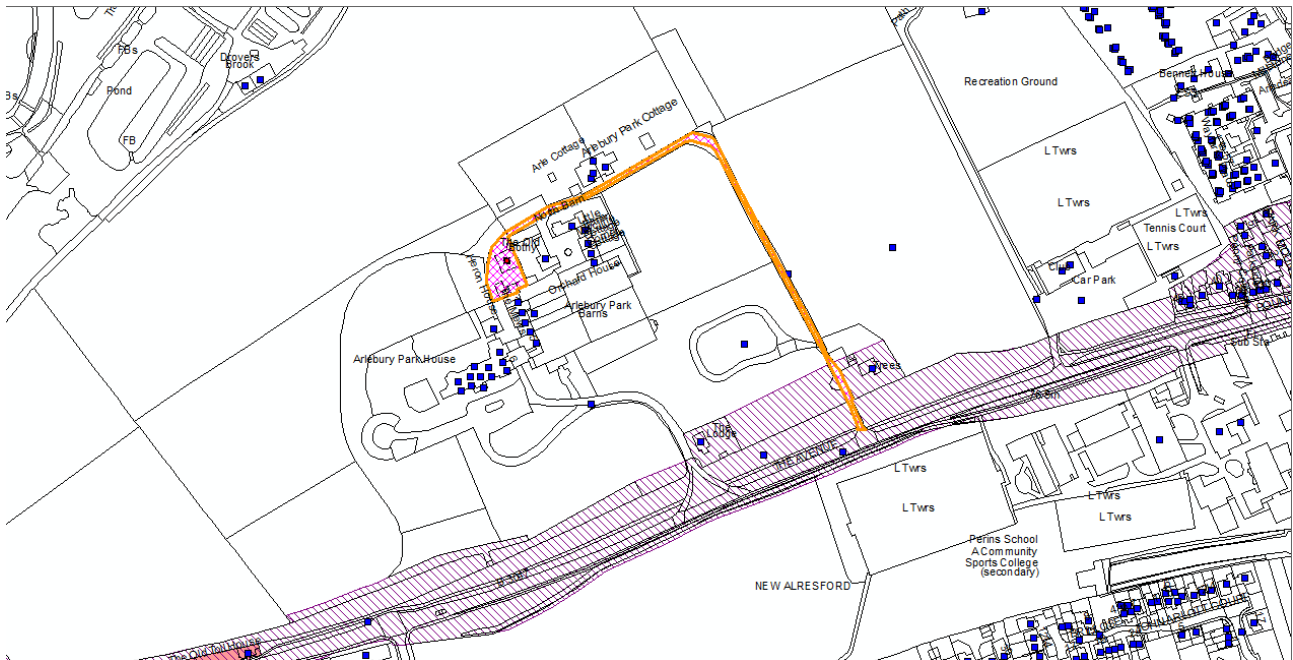
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No:	24/00715/FUL
Proposal Description:	Demolition of an existing farm building; and the erection of a dwelling; landscaping; parking; and associated works. (amended plans received 29 May 2024) (updated details received 12 February 2025)
Address:	Arle Barns Arlebury Park Barns Alresford Hampshire
Town Council:	New Alresford Town Council
Applicants Name:	Dr Bill Cuthbert
Case Officer:	Matthew Rutledge
Date Valid:	28 March 2024
Recommendation:	Permit
Pre Application Advice	No

Link to Planning Documents

[Link to page – enter in reference number: 24/00715/FUL](#)

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



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Reasons for Recommendation

The development is recommended for permission having considered all relevant aspects and reaching a conclusion based on the overall planning balance.

The scheme is contrary to policy MTRA4 of the Local Plan Part 1, as it would result in the addition of a new dwelling in the countryside. However, the applicant has previously secured prior approval for the conversion of the existing barn to a residential dwelling under Class Q, Part 3, Schedule 2 of the General Permitted Development Order. It is

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considered that the prior approval scheme has a high probability of being implemented and therefore represents a valid fall-back position which effectively gives the applicant a residential consent on the site. In these circumstances replacement of this residential use with an alternative scheme is considered to be acceptable, and the scheme under consideration here provides several benefits and enhancements compared to what could be achieved under permitted development, such as nutrient mitigation, the construction of a more sustainable dwelling than could be achieved by conversion, landscaping, and securing the ongoing maintenance of the package treatment plant.

Other elements of the proposal are considered to comply with relevant Local Plan Policies such as DM16, DM17, DM18, DM23, and DM24 of the Local Plan Part 2.

General Comments

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

Amendments to Plans Negotiated

Revised plans were received on 29 May 2024 following the applicant's own engagement with neighbours. The revised plans are listed below and are a reduction in scope to the proposed dwelling, particularly with regards to the roof form and glazing used.

224981-108 – Proposed GF Plans Rev B
224981-109 – Proposed FF and Roof Plans Rev A
224981-110 – Proposed N&W Elevations Rev B
224981-111 – Proposed S&E Elevations Rev A

A number of further details were requested by the Council in order to clarify elements of the proposal, including concerns raised by members of the public. The following documents were received on 12 February 2025:

224981-104 - Block Plan Proposed Rev B
224981-113 - Outbuilding Plan & Elevation Rev A
224981-112 - Landscaping Plan Proposed Rev A
Additional Planning Statement/Letter dated 12 February 2025

Neighbours were reconsulted regarding all updates on 14 February 2025.

Site Description

The application site is positioned to the west of the main town centre of New Alresford, outside of defined settlement boundaries. Access to the site is from the northern edge of The Avenue, and the site lies at the end of a long private road that grants access to various residential dwellings in close proximity to the site.

Adjacent and east of the is the Arlebury Park Barns development, consisting of 6 dwellings converted from former agricultural buildings. These dwellings, along with Arle Cottage and Arlebury Park Cottage to the north east, are accessed from the same private road.

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Adjacent and south of the site is the Arlebury Park Mews development, which consists of another 5 dwellings. Heron House is a further residential dwelling positioned south west of the application site, and further south is the residential flats within Arlebury Park House, a former Georgian house and estate created by William Harris circa 1780.

Land associated with the flats at Arlebury Park House appears to stretch north ending alongside the west boundary of the application site. This area of land appears to be relatively informal grassland, while a more formal communal garden is laid out further south from the application site, immediately adjacent to Arlebury Park House's north and west elevations.

Agricultural land surrounds the application site and Arlebury Park House to the north and west.

Within the application site itself is a steel framed agricultural barn with a row of dilapidated brick outbuildings forming the southern site boundary and adjoining 1 Arlebury Park Mews. To the east, a brick wall forms the boundary with the curtilage of The Old Bothy in Arlebury Park Barns. The agricultural land to the north is separated from the site by a substantial row of what appear to be self-seeded sycamore trees atop a small bank of earth. The barn and outbuildings are set on an area of existing hardstanding.

The character of the area is rural and the dwellings in the immediate surroundings are attractive, brick and flint, cottages.

Proposal

The proposal is for the demolition of the existing, redundant, agricultural building and the erection of one three bedroom dwelling in its place. A mezzanine level will be added to create the three bedrooms at first floor level.

The proposal includes landscaping, the installation of a package treatment plant, and repairs to the roof of one of the outbuildings.

It is intended that the outbuildings are used for ancillary domestic storage such as a bike and bin store.

Relevant Planning History

00/01680/FUL - Detached five bedroom dwelling with double garage. Refused 16 November 2000. Subsequent appeal dismissed 17 July 2001.

01/01446/FUL - Conversion of existing building into a three bedroom dwelling and erection of a double garage. Refused 13 August 2001.

23/02290/PNACOU - Arlebury Park Barn - Proposed barn conversion, Natural light via existing & proposed new openings. Prior Approval Required and Approved 23rd November 2023.

Consultations

Service Lead – Engineering (Drainage) –
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- No issue with replacement building being used for residential purposes on flood risk grounds.
- Satisfied with management and maintenance plans for the proposed package treatment plant.
- Satisfied with drainage strategy document.

Service Lead – Sustainability and Natural Environment (Ecology) –

- Barn has negligible potential for roosting bats.
- Majority of site on existing hardstanding.
- No concerns. Recommends condition to secure biodiversity enhancement.

Service Lead – Sustainability and Natural Environment (Landscape) –

- Satisfied landscape plan is appropriate.
- Recommended condition to ensure landscape works carried out appropriately.
-

Service Lead – Sustainability and Natural Environment (Trees) –

- Requested further detail to ensure protection of trees.
- Applicant requested this is secured by condition.
- Tree Officer satisfied with that approach and provided suitable condition.

Natural England –

- Agrees with conclusions of the appropriate assessment.
- No objection subject to appropriate mitigation secured by condition.

Representations:

New Alresford Town Council – No objection.

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

- Development in countryside
- Access to site
- Impact on rural character
- Scale of proposed dwelling
- Ecology & trees
- Light pollution
- Use of outbuildings
- Commercial use of site

1 Supporting Representation received citing the following material planning reasons:

- No reasons given.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2023)

4. Decision-making

5. Delivering a sufficient supply of homes

12. Achieving well-designed places

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

15. Conserving and enhancing the natural environment

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16. Conserving and enhancing the historic environment

National Planning Practice Guidance

- Appropriate assessment
- Climate change
- Community Infrastructure Levy
- Design: process and tools
- Determining a planning application
- Flood risk and coastal change
- Housing supply and delivery
- Light pollution
- Making an application
- Natural environment
- Neighbourhood planning
- Noise
- Planning obligations
- Renewable and low carbon energy
- Rural housing
- Tree Preservation Orders and trees in conservation areas
- Use of planning conditions
- Waste
- Water supply, wastewater and water quality

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

- CP11 – Sustainable low and zero carbon built development
- CP13 – High quality design
- CP16 – Biodiversity
- CP20 – Heritage and landscape character

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

- DM1 – Location
- DM15 – Local distinctiveness
- DM16 – Site design criteria
- DM17 – Site development principles
- DM18 – Access and parking
- DM23 – Rural Character
- DM24 - Trees

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Air Quality Supplementary Planning Document 2021

Residential Parking Standards 2009

New Alresford Design Statement

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023

Nature Emergency Declaration

Statement of Community Involvement 2018 and 2020

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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 proposed development results in the creation of a new residential dwelling in a countryside location. This is contrary to Policy MTRA4 of the Local Plan Part 1, which states that development will only be permitted if it has an operational need for a countryside location, and states that proposals for the reuse of existing rural buildings should be for employment, tourist accommodation, community use, or affordable housing only. The proposal meets none of the stipulations of MTRA4.

The applicant has already secured prior approval for the conversion of the existing barn to a residential dwelling under Class Q, Part 3, Schedule 2 of the General Permitted Development Order, demonstrated by the application with reference 23/02290/PNACOU.

The successful prior approval application means there is existing permission for a residential dwelling on the site, albeit by conversion of the existing barn rather than replacement of the barn entirely, as proposed here. It also represents a viable fallback position that is likely to be implemented by the applicant should this current planning application be refused. On 8 September 2017 the Court of Appeal upheld a judgement of the High Court that permitted development rights can be taken into account as a fallback position where some alternative form of development is subsequently proposed (*Mansell v Tonbridge and Malling BC* [2017] EWCA Civ 1314). As such, the Council gives substantial weight to the fallback position and considers that, should this scheme be compliant with the remainder of the Development Plan and all other material planning considerations, while also providing clear benefits when compared to the Class Q conversion under permitted development, it would be capable of achieving support.

It is considered that the prior approval scheme has a high probability of being implemented and therefore represents a valid fall-back position which effectively gives the applicant a residential consent on the site. In these circumstances replacement of this residential use with an alternative scheme can be acceptable

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 application site, and adjacent residential developments, have a rural character, being set back and screened from The Avenue, looking out over agricultural land, and in some cases being converted from former agricultural buildings. This group of residential development is closely linked to the urban development of New Alresford, however, being just a few hundred metres from various housing developments forming part of Alresford and around 600m from the centre of town.

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The dwellings in the Arlebury Park Barns development are attractive brick and flint buildings, Heron House and Arlebury Park Mews appear as red brick under slate roofs. Arlebury Park House appears further south as an imposing off-white rendered Georgian building.

The proposed new dwelling retains the shape of the existing barn and is positioned on the same footprint.

Both the existing barn and proposed replacement dwelling feature a dual pitched roof with the northern roof slope being substantially longer and reducing down to a single storey eaves height on the north elevation, creating a cat-slide style roof. The proposed dwelling maintains this roof form in appearance, although a small pitched roof porch is added to the north elevation and a chimney is also included in the north facing roof slope.

The main differences in appearance between the dwelling approved under 23/02290/PNACOU and the new dwelling proposed here are the addition of the chimney and porch, window arrangement, and the addition of more glazing at ground floor level to the northern elevation.

The proposed materials include blockwork and timber cladding to each elevation under a slate roof. Window and door frames will be a grey aluminium.

LPP2 Policy DM23 states that development proposals falling outside of defined settlement boundaries, which accord with the Development Plan, will be permitted where they do not cause an unacceptable impact on the rural character of the area by:

- Visual intrusion
- Introduction of incongruous features
- Destruction of locally characteristic rural assets
- Negative impacts on the tranquillity of the environment

The proposed dwelling largely retains the silhouette of the existing barn which, combined with use of timber cladding and slate roof tiles, is considered to maintain the rural appearance of the area. The dwelling will not be visible from the public realm. A landscaping plan has been submitted which shows three new Field Maple trees and a native mix hedge along the western boundary, which will provide screening and enhance the rural nature of the site.

The site and proposed dwelling adjoin the boundary with neighbouring dwelling The Old Bothy and is in close proximity to various other dwellings. With the proposed dwelling being positioned on the same footprint as the existing barn, retaining its overall size and shape, and being in close proximity to other residential dwellings, it is not considered that it would result in any visual encroachment on the countryside or alteration of the appreciation of the rural character of the surroundings.

It is not considered that one additional residential dwelling in this area would have a substantial negative impact on the tranquillity of the environment.

Based on this assessment the proposal would comply with policy DM23.

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It is considered that the proposal conserves the surrounding landscape and is in line with relevant parts of the New Alresford Design Statement as relates to development outside of the conservation area. As such, the proposal complies with policy DM15 of the LPP2. It is also considered that the design of the proposed dwelling, its curtilage, boundary treatment, and landscaping respond positively to the character of the area in accordance with policy DM16 of the LPP2.

For the reasons discussed above the proposal is considered to comply with policies CP13 and CP20 of the LPP1 along with policies DM15, DM16, and DM23 of the LPP2.

Development affecting the South Downs National Park

The application site is located approximately 0.8km from the South Downs National Park.

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 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, and the modest extent of the development proposed, 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

Adjacent and to the east, The Old Bothy shares a boundary with the application site, formed by a brick wall and the wall of the east elevation of the existing barn itself. The east elevation of the proposed dwelling will not have any windows and will be extremely similar to the elevation of the existing barn from a visual perspective.

The proposed south elevation introduces three first floor windows, two serving bedrooms and one serving a bathroom which will be obscure glazed. Views from the bedroom windows may be possible towards the southern corner of the curtilage of The Old Bothy, however, given the nature of use of these rooms and views of a limited area of the neighbouring property, it is not considered that this would result in a meaningful amount of overlooking that might justify refusal of this application.

Considering the above it is therefore not considered that the proposal would result in substantial increased harm to the Old Bothy or other residential dwellings to the east forming the Arlebury Park Barns development.

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North of the site is agricultural land, and the proposed dwelling would be screened by the row of sycamores along this northern boundary.

To the south, the site shares a boundary with 1 Arlebury Park Mews. The Arlebury Park Mews properties face to the south west, with gardens stretching to the north east. 1 Arlebury Park Mews presents a northern elevation without windows to the application site.

The ground level begins to rise towards the southern end of the site, such that the Arlebury Park Mews properties are set at a higher ground level. This is demonstrated in the drawing North & West Elevations Proposed 224981-110 Rev B.

Having regard to the orientation of the properties, the change in ground level, distance, and the intervening screening from boundary treatment and outbuildings, it is not considered that there would be harmful views from windows in the south elevation of the proposed property towards the Arlebury Park Mews properties.

To the west, an element of the grounds of Arlebury Park House extend alongside the application site. This part of the grounds appears somewhat informal, particularly when compared to the more landscaped elements of the grounds closer to the house itself.

There is a substantial amount of glazing proposed in the west elevation of the new dwelling, including a Juliette style balcony at first floor level. This will create views across the northerly element of Arlebury Park House's grounds. As per the submitted landscape plan, the addition of three new trees and a hedgerow along this boundary will mitigate these views somewhat. In addition, consideration is given to the fact that this part of the grounds is some 40m from the flats within Arlebury Park House, the flats benefit from other large garden areas closer to Arlebury Park House, and the area is already overlooked by Arlebury Park Mews and the flats themselves. Taking all this into account, the views from the proposed windows in the west elevation are considered to be acceptable.

Given the proposed dwelling retains the size and shape of the existing barn it is not considered that the proposal will have a detrimental impact on the residential amenity of any nearby property by way of overshadowing or overbearing.

The addition of one residential property is not considered to cause any ongoing noise disturbance.

The layout of windows on the south and west elevations in the approved conversion with reference 23/02290/PNACOU is very similar to that which is proposed here. As such, the dwelling proposed here does not give rise to any additional views that might cause privacy issues compared to the dwelling that has already achieved consent.

Based on the above assessment, the proposal is considered to comply with policy DM17 of the LPP2.

Sustainable Transport

The proposal utilises the existing access to the site and provides sufficient parking spaces for a three bedroom dwelling in line with the guidance given in the Council's Car Parking Standards Supplementary Planning Document.

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In accordance with Section 18 (1) (d) of the Order, Hampshire County Council has determined that it will discharge its consultee responsibilities as the LHA through the provision of Standing Advice for the residential development of 1 to 5 new dwellings, served by an access onto an unclassified road.

The local planning authority is satisfied that the application is in accordance with the Standing Advice, is not likely to result in a material increase or change in the volume or character of traffic entering or leaving a highway.

The application site is located within a short walk of the main amenities of New Alresford, including bus stops and a school. It is therefore considered to be sustainably located from a transport point of view.

It is therefore concluded that there are no highway reasons to refuse the application, and it is also considered to comply with policy DM18 of LPP2.

Ecology and Biodiversity

The proposal is for Development within, bordering or in close proximity to a Nationally Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites) and is for overnight accommodation affecting Nitrates. This is discussed further under the Appropriate Assessment heading below.

Landscaping

The application site is predominantly comprised of tarmac and concrete hardstanding. A landscape plan has been submitted in support of this application that shows areas of the existing hardstanding are to be replaced with an area of grass and an area of permeable hardstanding. In addition, along the western boundary, a native mix hedge is proposed along with three new Field Maple trees.

The additional planting is welcomed from an ecological perspective and the Council's landscape officer has confirmed that the proposed planting is acceptable.

Protected species

The presence of a protected species is a material consideration when a Planning Authority is considering a development that, if implemented, would be likely to result in harm to the species or its habitat. European protected species (EPS) have full protection under The Conservation of Habitats and Species Regulations 2017. It is an offence to deliberately capture, injure or kill, or deliberately disturb EPS.

In this instance, a Preliminary Roost Assessment was carried out which determined the existing barn has negligible potential for roosting bats. It is considered, however, that bats are likely foraging and commuting in the area and, as such, mitigation measures are required. The report recommends mitigation measures such as suitable lighting, the addition of bat boxes, and the provision of swift bricks, which is secured by conditions 5 & 6.

The proposal therefore complies with policy CP16 of the LPP1.

It should be noted that the proposed development is not 'major development' and the application for planning permission was made before 2 April 2024, therefore, the development is exempt from the requirements of Biodiversity Net Gain.

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Appropriate Assessment.

Please refer to the Appropriate Assessment Statement, and subsequent consultee response from Natural England, at the link below:

[Habitat Regulation Assessment \(HRA\) screening matrix](#)

The application will have a likely significant effect in the absence of avoidance and mitigation measures on European and Internationally protected sites as a positive contribution of 1.51 Kg/N/year and 0.13Kg/P/year is made. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with, and inclusive of the effects detailed in the Winchester City Council Position Statement on nitrate neutral development and the guidance on Nitrates from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition (12) complies with this strategy and would result 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 authority's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework (2023).

The development therefore complies with The EU Habitats Directive and Conservation of Habitats & Species (Amendment) Regulations 2011 and policyCP16 of the LPP1 and contains an Appropriate Assessment as Competent Authority.

The provision of nutrient mitigation and the ongoing maintenance of the proposed package treatment plant secured by condition 9 and 12 are a clear benefit of the current scheme when compared to the Class Q conversion of the barn that has already achieved permission.

Sustainability

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 5 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect. Condition 8a secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

Condition 8b then requests as-built data prior to the occupation of the unit to ensure that the requirements have been met.

The applicant has described in the additional planning statement dated 12 February 2025 that a new build dwelling would allow for improved levels of insulation and air tightness when compared to what could be achieved by converting the existing barn under the Class Q conversion that has already been given consent. The applicant has calculated that the scheme to replace the existing barn with a new dwelling would be approximately 25%

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more energy efficient when compared to a similar conversion. This would represent a meaningful benefit of the current scheme over the approved conversion.

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

Sustainable Drainage

A drainage strategy document including testing results and drainage layout plans has been submitted in support of the application. The Council's Drainage Engineer has been consulted and has confirmed the drainage strategy is acceptable. The Engineer has also confirmed they have no objection to the replacement building being used for residential purposes on flood risk grounds.

Condition 9 secures the implementation of the approved drainage strategy document.

Therefore, the proposal complies with policy DM17 of the LPP2.

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.

There are no protected trees on or near to the site, however, there is a row of mature sycamore trees along the northern boundary just outside of the site. These trees have amenity value and provide screening of the site. Measures should therefore be taken to ensure the retention of the trees.

Due to the distance between the trees and position of the proposed new dwelling, and the existing hardstanding in the intervening space, it is considered that it would be possible to undertake the proposed development without causing adverse impact on the trees during construction or the long term use of the development.

The Council's Tree Office has been consulted on the proposal and has requested further details in the form of an arboricultural method statement and tree protection plan. The applicant has indicated they wish to deal with this by way of condition. The Tree Officer has confirmed that approach is acceptable and has provided a suitable condition (14).

The proposal will therefore comply with policy DM24.

Refuse collection

Refuse collection will be in line with the collection for the neighbouring residential development of Arlebury Park Barns. The site plan indicates sufficient space for bin storage in the existing outbuildings to the rear of the barn, and a collection point adjacent to the entrance to the site. The bins can be collected from the existing parking/turning area that would already be utilised by vehicles servicing Arlebury Park Barns.

Other Topics

It is noted that several comments of objection centre on potential commercial use of the existing barn. It appears this concern stems from comments in the planning statement suggesting that residential use of the site is preferable, given the surrounding residential dwellings, compared to a commercial use which could also be achieved under permitted development. There is no indication that the applicant intends to pursue a commercial use

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of the site. The comments from the applicant and objections received in this regard are not considered relevant and have not been afforded any weight in the assessment of this application.

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

Whilst the development is contrary to Policy MTRA4 of the Local Plan Part 1, the approved prior approval for the conversion of the existing barn to a residential dwelling under Class Q, Part 3, Schedule 2 of the General Permitted Development Order represents a viable fallback position that is afforded substantial weight, on the basis that it appears likely that the site will receive residential development regardless of the outcome of this application.

With this in mind, the current application has been considered against the remaining relevant policies of the Development Plan. The potential benefits of this scheme over the Class Q scheme have also been considered and form part of the conclusion.

Based on the above assessment, apart from Policy MTRA4, there are no other conflicts with the Development Plan and no adverse planning considerations that would result in substantial harm to justify the refusal of this application on those matters alone. Further, the current scheme is considered to result in several benefits over the approved Class Q scheme, such as:

- Provision of nitrate mitigation
- Enhanced landscaping
- A more efficient and sustainable dwelling
- Ability to secure biodiversity enhancements, tree protection, and control external lighting

Recommendation

Approve subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

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

224981-108 – Ground Floor Plans Proposed Rev B

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224981-109 – First Floor and Roof Plans Proposed Rev A
224981-110 – North & West Elevations Proposed Rev B
224981-111 – South & East Elevations Proposed Rev A
224981-104 - Block Plan Proposed Rev B
224981-113 - Outbuilding Plan & Elevation Rev A
224981-112 - Landscaping Plan Proposed Rev A
Drainage Layout ACC-24118-01

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 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. All hard and soft landscape works shall be carried out in accordance with the approved details. Hard landscape works shall be completed prior to the occupation of the dwelling hereby approved. Soft landscape works 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. The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

5. No development shall commence until full details of the lighting plan for the site, including positioning on the building, level of luminance, direction of lighting and details of any motion sensors or timers have been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

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

Reason: To maintain and protect biodiversity.

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7. 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.

8.a. 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.

8.b. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

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

9. The detailed proposals for the disposal of foul and surface water shall be constructed in accordance with the drainage strategy report, and accompanying Drainage Layout plan reference ACC-24118-01, prepared by Aqua Callidus Consulting Ltd titled '23/02290/PNACOU condition #4 Drainage Design' reference 24118 and dated 20 August 2024. No changes shall be made to proposals set out in the above report shall be made unless the Local Planning Authority gives its written consent to any such variation. The package treatment plant shall be inspected and maintained in accordance with section 5 of the Graf Log Book submitted to the Local Planning Authority alongside the letter from Aqua Callidus Consulting Ltd titled PTP Management Plan dated 31 October 2024.

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

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

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

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

- i. construction traffic routes in the local area
- ii. parking and turning of operative, construction and visitor vehicles
- iii. deliveries, loading and unloading of plant and materials
- iv. storage of plant and materials
- v. programme of works (including measures for traffic management)

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

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

12. The development hereby permitted shall NOT BE OCCUPIED until:

- a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

13. 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 AA, B and C, of Part 1; of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

14. No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence until an Arboricultural Method Statement (AMS), prepared in accordance with the BS5837:2012

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- Trees in Relation to Design, Demolition and Construction - Recommendations has been submitted to, and approved in writing by the Local Planning Authority. The statement must detail how retained existing trees will be protected through the development, including the installation of any special engineering operations. A project arboriculturist shall be appointed to supervise all activity occurring on the site where there may be an impact on trees. Details of the supervision visits shall be recorded and reported back to the Local Planning Authority for the duration of any demolition and construction works. No development or other operations shall take place other than in complete accordance with the approved method statement.

Reason: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (Dec 2023) and policy DM15 of the adopted Winchester District Local Plan Part 2 2016.

Informatives:

1. In accordance with paragraph 39 of the NPPF (December 2024), Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

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

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

Local Plan Part 1 - Joint Core Strategy: DS1, CP13, CP20, MTRA1, MTRA2, MTRA3, MTRA4

Local Plan Part 2 – Development Management and Site Allocations: DM1, DM3, DM15, DM16, DM17, DM18, DM23, DM27, DM28, DM29

High Quality Places SPD

Parking Standards SPD

3. This permission is granted for the following reasons:

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

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

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

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private roads. Any damage to these areas should be remediated as soon as is practically possible.

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

<https://www.considerateconstructors.com/resources/the-code-of-considerate-practice/>

6. Any modifications to the approved drawings, whether for Building Control or any other reason, or any departure on site from what is shown, may constitute a criminal offence under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The applicant is required to draw this and other conditions on the Consent to the attention of any contractors or sub-contractors working on site and furnish them with a copy of the consent and approved drawings.

7. 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 Development is not 'major development' and the application for planning permission was made before 2 April 2024.

8. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.

Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake building works outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is no alternative to doing the work during this period then a thorough and careful examination of the affected areas must be carried out before the works starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and works can only recommence once the nest becomes unoccupied of its own accord.