

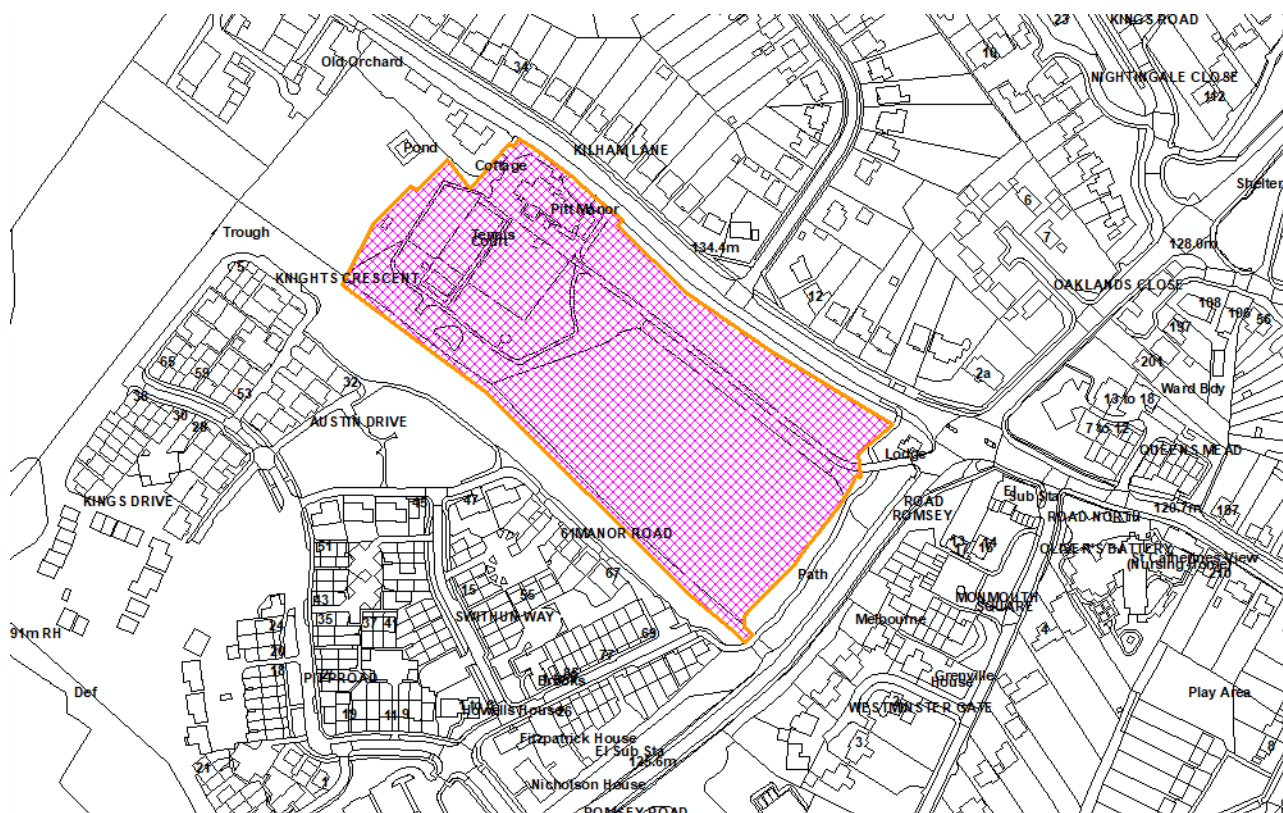
WINCHESTER CITY COUNCIL  
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**Case No:** 25/01208/FUL  
**Proposal Description:** Construction of 48 dwellings, formation of access onto Kilham Lane, provision of landscaping, open space and drainage. Demolition existing buildings. Phased development.  
**Address:** Pitt Manor Romsey Road Winchester Hampshire SO22 5PR  
**Parish, or Ward if within Winchester City:** St Luke  
**Applicants Name:** Mr Stuart Garnett  
**Case Officer:** Mrs Megan Osborn  
**Date Valid:** 23 June 2025  
**Recommendation:** Application Permitted  
**Pre Application Advice** Yes

**Link to Planning Documents**

[Link to page – enter in reference number 25/01208/FUL](#)

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



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**Reasons for Recommendation**

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The development is recommended for permission as it is considered that it will respond positively to the character, appearance and variety of the local environment, is acceptable in terms of highway safety and would not harm neighbouring residential amenity and is in accordance with the development plan.

### **General Comments**

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

This application is a resubmission of a previously refused application. The previous application (24/02377/FUL) was for the demolition of all buildings, and the construction of 48 dwellings, formation of a new access onto Kilham Lane, provision of landscaping, public open space and drainage (phased development). This application was recommended for approval at planning committee on the 11<sup>th</sup> June 2025 and the recommendation was overturned and refused for the following reasons:

1. The proposed development is contrary to policy CP3 of the Local Plan Part 1 in that it fails to provide 40% of the gross number of dwellings as on site affordable housing and fails to demonstrate that off site provision would better meet priority housing needs.
2. Having regard to the insufficient information relating to baseline information and measures to secure net gains in biodiversity, it has not been demonstrated that the development would meet national policy objectives of securing biodiversity net gain. The development would therefore be contrary to Policy CP16 of the Winchester District Local Plan Part 1, Section 15 of the NPPF (2023) and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and paragraphs 192 and 193 of the NPPF.
3. The proposed development is contrary to Policies CP15 and CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to protect and enhance biodiversity across the District by providing appropriate precautionary assessment or mitigation in regard to additional nitrogen and increased recreational pressures impacting upon the Solent Special Protection Areas (SPAs). As a result, it is considered that the proposed development would result in significant harm to the SPA and the species it supports, therefore contravening the legal requirements of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations (2017).
4. In the absence of any legal agreement in respect of offsite highways improvements, nutrient mitigation, affordable housing delivery and management of communal areas, there is no appropriate mechanism in place to secure these measures. Such a mechanism is necessary to make the development acceptable in planning terms and therefore the proposal conflicts with LPP1 Policies CP2 and CP16 along with LPP2 Policies DM18 and Policy DM6 and DM18.

This application has been submitted with a proposal of 48 dwellings, the same as the previous application with 5 of the dwellings proposed to be affordable, shared ownership dwellings. In addition to this a contribution of £171,000 is proposed.

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**Amendments to Plans Negotiated**

None

**Site Description**

The site is located within the development boundary of Winchester on the corner of Romsey Road and Kilham Lane. To the north of the site are houses on the opposite side of Kilham Lane, to the east is Romsey Road, the south is Winchester Village and to the west is the development called Silkstead Park and Pitt Manor Cottage.

The site is approximately 3.28 hectares and on site there is an existing two storey dwelling known as Pitt Manor lodge, some outbuildings, a tennis court and a swimming pool.

The site slopes from the top of the site in the north east to the south west. Access to the site is currently taken from Romsey Road with a gated access through an avenue of trees leading to Pitt Manor. This is also the access for Pitt Manor Lodge. There is another vehicular access into the site from Kilham Lane.

There is an existing footpath to the east of the site, which is outside the red line of this application. This pathway links from Kilham Lane to Winchester Village beyond and is well used.

Pitt Manor Lodge is considered to be a non-designated heritage asset by virtue of its inclusion in the Hampshire Inventory of Historic Parks, Gardens and Public Green spaces which is maintained by the Hampshire Gardens Trust.

There is an existing dense woodland in the northern part of the site that is covered by a TPO, there are dense trees to the eastern boundary with Romsey Road, which are also covered by a TPO and on the other side of the southern boundary there is also a TPO on the existing trees.

**Proposal**

The proposal is for the demolition of the existing dwelling and outbuildings and the construction of 48 dwellings.

The proposed development would be accessed by the existing access from Kilham Lane, which will be altered to serve 4 dwellings, and a new access is proposed also on Kilham Lane, which will provide access from the remaining 44 dwellings.

The proposal has been amended in that the housing sizes have changed from the previous application. Some of the large units to the north west of the site have been reduced in floor area. The rear single storey elements to plots 33 and 37 have also been removed.

Amendments have also been made to the Affordable housing offer. The revised offer proposes 5 shared ownership dwellings, on site and a contribution of £171,000.

**Relevant Planning History**

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The most relevant planning history is the previous application on this site for the demolition of all buildings, and the construction of 48 dwellings, formation of a new access onto Kilham Lane, provision of landscaping, public open space and drainage (phased development) 24/02377/FUL. This application was recommended for approval at planning committee on the 11<sup>th</sup> June 2025 and the recommendation was overturned and refused. An appeal has been submitted and is currently running on this decision.

**Consultations**

Service Lead – Built Environment (Archaeology) –

- No objection, subject to conditions 17 and 18

Service Lead – Built Environment (Historic Environment) –

- The Hampshire trust have removed this site from their register – there are no objections to this proposal.

Service Lead – Built Environment (Urban Designer) –

- No significant changes and therefore no further comments

Service Lead – Engineering (Drainage) –

- No objections to previous application and no changes have been made in relation to drainage. (condition 37)

Service Lead – Sustainability and Natural Environment (Ecology) –

- No objections, the same information has been submitted and this is therefore acceptable (conditions 31, 32 and 33)

Service Lead – Sustainability and Natural Environment (Landscape) –

- No objection

Service Lead – Sustainability and Natural Environment (Trees) –

- Further information requested in relation to the drainage. This has been received and conditioned (condition 22-30)

Service Lead – Public Protection (Environmental Health) –

- No further objections from previous comments
- Noise – The further information received is acceptable, subject to condition 35.
- Contaminated land – no objection, subject to conditions 19, 20 and 21
- Air Quality – no objection

Service Lead – New Homes Delivery (New Homes) –

- The planning application is not policy compliant; however it is recognised that the provision of on-site affordable housing has been achieved and there is a financial viability assessment to show that with on-site affordable housing this is the best that can be achieved. The Housing team have confirmed that there is a high need for affordable housing in this location.

Hampshire County Council (Education Authority) –

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- No contribution needed

Hampshire County Council (Rights of Way) –

- No objections, subject to informative

Hampshire County Council (Flood Authority) –

- No objections as previous application, submit to condition 38

Hampshire County Council (Highway Authority) –

- The applicant has satisfactorily addressed the highway authorities concerns. A S106 is proposed (see HoT below) and condition 15.

Southern Water -

- No objection, subject to conditions – not needed as this is covered by the tree conditions.

NHS

- The increase in housing numbers will result in a further impact on the NHS and therefore a contribution of £29,102 is required.

**Representations:**

Councillors – None

City of Winchester Trust – no comment received

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

- *Traffic and access issues*
- *Impact on local infrastructure and services*
- *Environmental and landscape impact*
- *Flood risk and drainage*
- *Phased development and uncertainty*
- *Development is too dense*
- *Poor quality housing*
- *Lack of amenities*
- *Tree loss*
- *Objection to link this site with the existing footpath*
- *This will impact on wildlife*
- *Not enough of a contribution to affordable dwellings*

2 Supporting Representations received from different addresses citing the following material planning reasons:

- *Support the new affordable housing approach*
- *Well-designed housing*
- *Good affordable housing contribution for the area*

**Relevant Government Planning Policy and Guidance**

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National Planning Policy Framework (December 2023)

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

National Planning Practice Guidance

- Air quality
- Appropriate assessment
- Community Infrastructure Levy
- Consultation and pre-decision matters
- Design: process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Flood risk and coastal change
- Healthy and safe communities
- Historic environment
- Housing supply and delivery
- Making an application
- Natural environment
- Renewable and low carbon energy
- Use of planning conditions
- Waste

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 CP1 - Housing Provision  
Policy CP2 – Housing mix and provision  
Policy CP3 – Affordable housing provision on market led housing  
Policy CP7 - Open Space, Sport and Recreation  
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 CP15 – Green infrastructure  
Policy CP16 – Biodiversity  
Policy CP17 – Flooding, Flood Risk and the Water Environment  
Policy CP20 – Heritage and Landscape Character  
Policy CP21 – Infrastructure and community benefit

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

DM1 – Location of New Development  
DM2 – Dwelling sizes  
DM6 - Open Space for New Developments  
DM15 – Local Distinctiveness  
DM16 – Site Design Criteria  
DM17 – Site Design Principles  
DM18 – Access and Parking  
DM21 – Contaminated land  
DM23 - Rural Character  
DM24 – Special Trees, Important Hedgerows and Ancient Woodlands  
DM29 – Heritage Assets  
DM31 – Locally listed Heritage assets

Winchester District Local Plan 2020-2040

SP1 – Vision and Objectives  
SP2 – Spatial Strategy and Development Principles  
CN4 - Water efficiency standards in new developments  
CN5 - Renewable and low carbon schemes  
D1 - High Quality, Well Designed and Inclusive Places  
D2 - Design Principles for Winchester Town  
T1 - Sustainable and Active Transport Travel  
T2 - Parking for New Developments  
T4 – Access for new developments  
NE3 – Open space, sport and recreation  
NE5 – Biodiversity  
NE15 – Trees, Important hedgerows and ancient woodlands  
NE16 Nutrient neutrality  
H4 – Development within settlements  
H6 – Affordable housing

Supplementary Planning Document

National Design Guide 2019  
High Quality Places 2015  
Air Quality Supplementary Planning Document 2021  
Residential Parking Standards 2009  
Winchester Landscape Character Assessment 2022  
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) requires that applications for

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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 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 (LPP1) 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 dwellings comprises of:

7 x 2 bedroom dwellings  
29 x 3 bedroom dwellings  
12 x 4 bedroom dwellings

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.

**Affordable housing**

Policy CP3 of the LPP1 requires, in order to help provide housing needs, all development which increases the supply of housing to provide 40% of the gross number of dwellings as affordable housing, unless this would render the proposal economically unviable. Normally, 70% of the affordable homes should be for rent with the balance being intermediate affordable housing. In considering housing proposals the aim will be to balance housing needs, the economics of provision and local circumstances.

This application is a resubmission of a previous application (24/02377/FUL), which proposed a contribution of £2.1million for affordable housing following a viability appraisal. This was refused as it was considered that it failed to meet the policy requirement of 40% on-site affordable housing and failed to demonstrate that off-site provision would better meet priority housing needs.

This resubmitted application seeks to address these concerns and consequently proposes 5 on site shared ownership homes. These are all 2 bedroom terrace houses of 990ft<sup>2</sup> (92sqm).

A Financial Viability Assessment (FVA), by Tor&Co, was provided in support of the planning application. It concludes, using the inputs and assumptions of the applicant, that the scheme is not able to support a further contribution towards planning gain than the 5 onsite shared ownership homes. It suggests that it is not practical or viable to provide affordable rented housing on site.

The 40% affordable housing needed would be 19.2 and the proposal is for 5. This equates to 10.4% of 48 dwellings, which falls below the policy requirement. This level of provision fails to comply with the requirement for 40% affordable housing provision. As  
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such, the policy allows for the proposal to demonstrate that the proposal with full affordable housing provision would be economically unviable. A viability appraisal was submitted with the application. As part of the viability appraisal the quantum and mix of affordable housing provision is considered. The policy also allows for off-site provision if it can be demonstrated that it would better meet priority housing need and support the creation of inclusive and mixed communities. The key aim of the policy is to balance housing needs, the economics of provision and local circumstances

A contribution of £130,000 was offered as a financial contribution, this is calculated in the sensitivity test carried out in the submitted report by Tor&Co.

The report states that, it is not possible to deliver on site rented affordable housing because it is not economically viable to deliver a policy compliant amount of affordable housing on site. Also, the open space managed areas of the site will carry an estates charge for long term maintenance and management, which is likely to be quite high and not attractive to registered providers on this basis as the higher costs have to be passed onto tenants.

Dixon Searle Partnership (DSP) were commissioned by Winchester City Council to carry out an independent review of the 'Financial Viability Assessment' (FVA) that was submitted by Tor&Co to undertake a thorough and detailed assessment of the information that has been submitted

As part of the assessment DSP have considered a number of assumptions that underpin the viability appraisal such as Benchmark Land Value, how the site should be assessed as a whole site or as two parts, the level of developer profit along with other variables.

However, DSP are clear that they have considered the viability appraisal against the guidance in the Planning Practice Guidance (PPG) and in terms of viability the price paid cannot be used to justify reductions in planning contributions. The price paid (or agreed to be paid) is not usually of relevance in viability discussions. Instead DSP have tested against a Benchmark Land Value based on existing use (or potentially alternative use). There is no agreement on what the BLV should be but DSP have tested a land value of £7.65 million and this is seen as a maximum that should be allowed. The Benchmark Value that DSP have tested is not the figure that the applicant considers is suitable which is a significantly higher figure which includes 'hope value' for development. DSP consider that their figure should be disregarded for viability in planning purposes. As part of the assessment DSP have identified a surplus of £41,000 which Shorewood Homes (the applicant) have agreed to pay as an off-site contribution.

The applicant is offering to provide 5 x shared ownership dwellings on site and £130,000 cash contribution with an additional £41,000 offered latterly (total £171,000) to meet the affordable housing policy requirements. The previous application which was refused (at appeal) sought to provide an off site contribution of £2.1 million. While the two schemes are not directly comparable due to a number of factors including housing mix, changes to costs and values, the view of DSP is that the current offer from the applicant is broadly comparable to the previous offer. Securing £170,000 through the S106 contributions will be used by the Council in line with their Housing Development Strategy.

It is acknowledged that the policy requirement is for 70% of affordable housing to be for rent with the balance being Intermediate Affordable Housing. In this instance the on site  
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dwellingings are being offered as shared ownership which factors into the viability assessment. It is acknowledged that the applicant has secured a Housing Trust which demonstrates that they are deliverable from a shared ownership perspective. As part of the assessment DSP also compares the potential effect of converting the shared ownership dwellingings, to Affordable rent. It concluded that the inclusion of one single dwelling as Affordable rent impacts the viability of the site. This is due to the significantly lower value to affordable dwellingings as Affordable rent, which would also likely to be impacted by the higher service charges. For the reasons given the financial viability assessment concludes that it would not be viable to provide any Affordable rented dwellingings on the site.

Therefore, in conclusion while the affordable housing offer does not meet the explicit requirement of CP3 of 40% provision, the applicant has sought to demonstrate that to do so would render the proposal economically unviable. The evidence submitted has been independently assessed and concludes that the affordable housing offering is what can be provided without impacting the financial viability of the scheme and meets the requirements of CP3. While the housing mix provides for shared ownership units which conflicts with the requirements of the policy, these are still considered to be affordable housing within the Government definition and will meet a local need. Therefore, given the financial viability evidence the scheme will secure a proportion of affordable housing in line with the objectives of the policy.

### **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 existing site is located on the corner of Kilham Lane and Romsey Road and has one existing residential dwelling and a number of outbuildings. Part of the site was used for the keeping of sheep with some farm buildings.

The site is located within a suburban area of Winchester where buildings are generously set back from the road edge, gardens amenities are generous, and shrubs, street and garden trees, organic street patterns, open views are a constant feature. A lot of the architectural precedents shown are urban in nature and this site has an open countryside feel, which is largely screened from outside views.

The proposal is for the demolition of the existing dwelling and to develop the whole site for 48 dwellingings. The proposal includes a large area of open space to the north of the site to be used for a woodland play area. Proposals include a footpath link to the existing footpath that runs along Romsey Road from Winchester Village to the corner of Romsey Road and Kilham Lane.

During the process of this application, a number of concerns were raised by officers, which have been addressed by the applicant, these included:

- Adding fenestration to public facing facades
- Changing parking arrangements
- Changes to boundary treatments

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- Relocation of dwellings to provide more space front to front and a more natural street formation.
- Moving garages
- Addressing footpath links
- Changing design features

The proposed design of these dwellings is Neo-Georgian style with strong repetition of housing types, scale and proximity of dwellings to one another. Although this design is not typical of the surrounding area, and not ideal, it is considered that as this site is well screened from the surrounding area it would almost form its own character area within this part of Winchester. It would therefore not result in an incongruous feature in this area or in relation to neighbouring properties.

In addition to this the density of the proposed site is 14.6dph which is broadly similar to the immediate context when assessed against the gross site area.

The Open Space Assessment indicates that St. Luke's Ward is currently deficient in Natural Green Space by 6.11 hectares, Play Space by 2.43 hectares, and Sports Grounds by 4.58 hectares. The site is providing a large area of play space to the north of the site in the form of a woodland play area. This is much needed open space for the wider area of St Lukes. The site is also proposing a small area of natural green space in the centre of the site.

The applicant has worked with officers, and it is considered that the design of the resulting scheme can be supported, especially when providing the benefits of the open space.

Therefore, it is considered that the proposal complies with the policies CP13 of the LPP1, DM15,16 and 17 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 1.9 km 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, 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**

When the application for development was first submitted on this site in November 2024, the existing house was classified as a non designated heritage asset due to its location

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within a locally registered park and garden. The Hampshire Gardens Trust have now removed this from their register. Therefore, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, or Non-designated Heritage Assets including setting.

**Archaeology**

This application is supported by an archaeological desk-based assessment (DBA) (TOR & Co, September 2024. Ref. 275103 Issue 1), which includes as an appendix the results of a geophysical survey undertaken across accessible parts of the site. This geophysical survey report has been previously reviewed as part of a pre-application submission and previous application.

Having reviewed the DBA, overall, this is considered to form a suitable assessment of the site's archaeological potential in so far as this can be assessed from available information and the report conclusions are accepted.

As indicated in the DBA, it is considered that further archaeological evaluation and mitigation will be required and can be secured via planning conditions. The pre-commencement conditions (17 and 18) are required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and / or construction works.

**Neighbouring amenity**

The site is well screened from outside the site area. This is a stand-alone site with no material planning harm to neighbours' amenities from the proposed dwellings due to the distances away from neighbours and the existing boundary treatment.

The main assessment would be the relationships between the proposed dwellings on the site.

There are windows proposed on the site elevation of house type number A, these are to bathrooms and would therefore be obscurely glazed and are only on one side of the dwelling and therefore an overlooking looking impact would be avoided.

There are no windows proposed on the rear elevation of house type number B. There would be no unacceptable overlooking to private amenities from this dwelling.

There is a first-floor window proposed on the side elevation of house type C1, this is to a bathroom and therefore would be obscurely glazed. There is a ground floor window proposed on plot 5 only, this will add to the visual interest of the dwelling in the street and not result in any material planning harm in terms of overlooking.

There is a first-floor window on the side elevation of house type C2 that looks towards house type E. This is for a bathroom and therefore is obscurely glazed.

House type D has no windows on the side elevation looking towards its neighbouring property.

There are first floor windows on the side elevation of House type E, which are for studies. These would not result in any adverse overlooking due to the distances between

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properties and there being no windows or obscurely glazed windows on the opposite side elevations.

House Type F is a line of three terrace houses that front onto the road with house type H (plot 12) attached on the northern side. These dwellings do have rooms in the roof and would look towards the side of plot 41, which has no windows on the side elevation and the rear gardens of plots 13 and 41, however due to distances an harmful overlooking impact would be avoided.

The rear windows on house type H (plot 12) looks towards the side of house type G (plot 13), however plot 13 has no windows on the side elevation and therefore an overlooking impact would be avoided.

As House type G has no windows on the side elevations there will be no overlooking towards each other on the side. There are rear windows, looking towards House type N to the rear, however this is considered to be a reasonable distance between dwellings that it would not result in any material overlooking that wouldn't be expected in an urban area such as this.

House type H appears again on the south eastern line of dwellings and forms the corner plot. This is plot 18 and has windows on first floor and roof lights looking towards plot 19, however these are to bathrooms and would therefore be obscurely glazed.

House type I does not result in any overlooking to the type and location of the dwellings.

House type J is located in the southern corner of the site, there are windows on the side overlooking the footpath and none proposed on the other side. This is acceptable. House type L has first floor side windows, which are for bathrooms and therefore would be obscurely glazed and would result in no harm from overlooking.

House Type M are three storey houses, which only have windows on one of the side elevations on first and second floors, which are to stairwells. There would be no harmful overlooking from these windows.

House type M have been moved back from their original position to provide more relief between these and the dwellings opposite, which results in a further distance front to front of these dwellings. This distance has been increased from approximately 8.1m to 10m. This is now acceptable.

The layout of the dwellings on this site is acceptable in relation to the overbearing and overshadowing harm they would have on each other.

It is considered that this development would not result in any material planning harm to any neighbouring amenities.

Condition 5 requires all bathroom windows to be obscurely glazed.

Therefore, the proposal complies with policy DM17 of the LPP2 for the above reasons.

### **Highways**

The site is located to the southwest of Kilham Lane on the outskirts of Winchester.

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Kilham lane is a predominantly street lit 30mph road with footway provision on one side of the carriageway. To the east, Kilham Lane connects to Romsey Road via a 4-arm signalised junction. Romsey Road provides connectivity into Winchester to the north and wider connectivity to the strategic road network via the M3 to the south.

To ascertain vehicle speeds on Kilham Lane to inform visibility requirements from the site access, Automatic traffic counters, an ATC survey was undertaken towards the end of April 2024. The survey identified 85th percentile speeds of 33.9mph heading northwest and 32.3mph heading southwest.

On-street parking is currently present on Kilham Lane opposite the frontage of the site.

#### Sustainable Transport Connectivity Walking and Cycling

To ascertain the proximity of the site to local facilities and amenities, walking and cycling isochrones have been produced in Figures 5 and 6 across a 20 minute travel time and 5km distance respectively. A list was provided with nearby facilities, along with the distance from the proposed development. This identifies that there are a number of local schools and a convenience store which are located within the 800m walking distance identified by Active Travel England. Additional facilities are available to the site within a 2km catchment area.

A Walking, Cycling and Horse-riding Assessment and Review (WCHAR) has been undertaken by the applicant to review key walking and cycling routes from the development site. The document focusses on wider offsite routes and concludes that they are generally acceptable, aside from the lack of pedestrian crossing provision at the Romsey Road signalised junction for pedestrians to access Stanmore Lane. The review suggests incorporating a pedestrian phase into the signals to accommodate this movement. The site is located in an area where opportunities exist to create new links and improve existing connections to strengthen walking and cycling opportunities.

#### Bus

Two separate sets of bus stops are available within a 400m walking distance of the site located on Romsey Road and Stanmore Lane. The stops provide a high frequency service into Winchester and therefore represent a viable alternative to travel via the private car which could reduce vehicular trips into the city centre. Internal connections through the development should be provided to ensure that residents benefit from high quality, direct routes to the stops.

#### Rail

Winchester train station represents the nearest form of rail travel, situated approximately 2.8km from the site. Although the station is outside of the 2.0km maximum preferred walking distance, there are opportunities for residents to utilise the frequent bus service or cycle to the station before continuing their journey.

#### Personal Injury Accident (PIA) Data

PIA data has been gathered from Hampshire Constabulary for a 5-year period up to December 2023. The scope of the data covers the Road Romsey corridor and identifies a few accidents spread along the route, but no significant accident clusters which may be exacerbated by the proposed development.

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Site Access

The western development parcel consists of 4 dwellings accessed via a vehicle crossover.

The highways authority raised concerns regarding the trees on this junction. The applicant produced a CAVAT report to assess the trees located within the highway boundary which will need to be removed to accommodate the site access. This report has been reviewed by Hampshire Highways and considered acceptable in principle, with the exact CAVAT value to offset the loss of highway trees to be agreed through the Section 278 process.

The remaining 44 dwellings are to be accessed via a bellmouth junction on Kilham Lane. The junction has been designed in accordance with HCC TG2 guidance and therefore features a 5.5m wide access road supported by 3.0m radii.

Following a further review of the proposed uncontrolled pedestrian crossing on Kilham Lane, the applicant has produced drawing number 151.0013-0001 Rev P07 which details a revised location for the crossing point. This is to locate the crossing further away from the driveway into number 16 Kilham Lane, removing the concern that the crossing point will be overrun by vehicles entering and exiting the property. As a result, there is a tree on the northern side of Kilham Lane which will need to be removed to accommodate the crossing. The removal of this tree will also be subject to payment of a CAVAT fee.

Tracking has been undertaken for the new access, but it is noted that the presence of on-street parking would prevent manoeuvres from being safely undertaken. The applicant has also agreed to pay to implement a TRO on the northern side of Kilham Lane to ensure that larger vehicles can safely manoeuvre in and out of the new site access. The restrictions to restrict on-street parking is supported and the funds to implement the TRO will be secured through a future Section 106 agreement.

The principle of the site access and crossing shown in drawing numbers 151.0013- 0001 Rev P07 and 151.0013-0003 Rev P07 is therefore considered acceptable and will be secured through a Section 106 agreement.

A short section of footway and crossing point is provided on Kilham Lane itself. Given the low vehicle flow in this section of the site, this arrangement is considered acceptable.

Trip Generation

Through pre-app discussions, TRICS parameters and two-way trip rates were agreed with the applicant. The agreed AM and PM trip rates are 0.624 and 0.547 respectively, corresponding to 30 and 25 vehicular movements.

It should be noted that these trip rates are considered to be a worst-case scenario for the development, with the applicant expected to bring forward a development which provides strong active travel opportunities to key facilities and amenities to reduce reliance on the private car.

Trip Distribution

Traffic has been distributed onto the local road network via 2011 Census data, specifically 'location of residence and place of work' for the relevant output area. The census data identifies that 100% of traffic will turn right out of the site access, heading towards the Kilham Lane/Romsey Road signal junction. From the signals, 41% will turn left to continue towards Winchester, 2% will head straight on towards Stanmore Lane, and the remaining

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57% will turn right towards Pitt village. As a result of the proposed distribution, all 30 and 25 of the AM and PM peak hour movements will route via the signal junction.

#### Junction Modelling

Following concerns raised from Hampshire Highways, updated junction modelling has been undertaken for the Kilham Lane/Romsey Road signal junction. The modelling takes account of agreed parameters such as traffic flow data, origin-destination data and TEMPRO growth factors (to uplift the aforementioned flow data).

Whilst the revised modelling work was not fully optimised, it does identify an increase in the Degree of Saturation observed on the Kilham Lane approach to the junction. As such, the applicant has designed an improvement scheme, which is shown in drawing number 151.0013-0013 Rev P02, which provides additional flare length on the Kilham Lane approach to allow 3 vehicles to wait side by side. The Highway Authority is satisfied that an improvement scheme could be implemented to improve junction capacity. In line with Hampshire's Local Transport Plan 4 (LTP4) and the shift to vision led planning in the NPPF, it is considered that a contribution should be secured towards a scheme that either provides pedestrian and cycle improvements at the junction and on Local Cycling and infrastructure plan (LCWIP) Route 260, or a capacity improvement on Kilham Lane.

#### Car Parking

The parking layout has been amended during the submission of this application and it meets the parking standards set by Hampshire.

#### Travel Plan

The travel plan has been amended and will be secured through the Section 106 agreement.

Therefore, the proposal complies with policies CP10 of the LPP1 and DM18 of the LPP2 with regards to impact on highway safety, traffic generation and adequate parking facilities on site.

#### **Ecology and Biodiversity**

An Ecological Assessment (Pro Vision, October 2024) was submitted with this application. Appropriate recommendations have been provided in section 5, which should be subject to condition. A Construction Environmental Management Plan should also be conditioned.

#### Bats

Roosting bats are present within Pitt Manor and therefore a mitigation licence is required from Natural England before any works can commence to this building. Precautionary methods for removal of trees with potential roost features (PRF-Is) are included in the report.

An Artificial Lighting Assessment has been provided which shows that the lighting features chosen are acceptable and that key ecological receptors such as the woodland will not be illuminated.

It was unclear from the initial information whether the bat roost mitigation features will be illuminated. Further information has been provided to the bat mitigation strategy to reflect the limitations associated with lighting the highway.

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**Hazel dormouse**

No dormice were recorded on the survey however there are records on the site immediate to the west. Therefore, a precautionary method statement is considered necessary for any works within suitable habitat, which has been provided in supplementary information.

**Great Crested Newts**

There are three ponds located within 500m of the proposed development. Two of these were subject to an eDNA survey which both returned a negative. The other pond was identified as being dry, from reviewing pictures no aquatic vegetation was observed in the depression. Given that all ponds within 500m have been surveyed in 2024 and returned negative results, it is agreed with the conclusion of the report, that great crested newts are unlikely to be present and impacted by the proposed development.

**BNG**

A Biodiversity Net Gain Assessment (Pro Vision, October 2024), statutory metric and condition assessments have been submitted as part of this application. Since then, the developers have been working to reduce the BNG habitat loss and an updated metric has been produced by ProVision, which includes the blue line land (bund, footpath, woodland adjacent to Romsey Road).

The updated results show a deficit of -4.59 (-24.59%). To achieve a net gain the site needs 5.7 habitat units. It is proposed to comprise a mix of on site and off-site gain, which can be secured when discharging the Biodiversity Gain Plan. These will be secured through a legal agreement (S106) which will include monitoring fees, and a Habitat Management and Monitoring Plan (HMMP) will be required. The Heads of Terms for the legal agreement are set out below along with the recommendation.

**Biodiversity Enhancement Plan**

A plan showing the location of bat and bird boxes is included in Appendix L. These have been amended to address concerns and are now acceptable.

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**

*Nitrate Budget*

The nutrient budget demonstrates that there will be a nutrient input into the Solent catchment area of 20.564 kilograms of total nitrate per year (kg/TN/year, with 20% buffer applied). It is therefore likely that more nitrates will enter the catchment as a result of the new development, however its effect cannot be confirmed, and neither can nitrate neutrality.

*Phosphate Budget*

The phosphate budget demonstrates that there will be 0.112 kilograms of total phosphates per year (kg/TP/year). It is therefore likely that more phosphates will enter the catchment as a result of the new development, however its effect cannot be confirmed and neither can phosphate neutrality.

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The applicant has intimated that they will enter into a legal agreement, which has been submitted to the planning department and is acceptable in principle, to purchase the above amount of credits from land owner (The Grange Estate) to offset the impact of their development on the water environment of the Solent.

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 nitrogen neutral development and the guidance on nitrogen and phosphorous from Natural England.

The authority's appropriate assessment is that the application coupled with a mitigation package secured by way of a Grampian condition (13) complies with this strategy and would result in nitrogen and phosphorous 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.

### **Sustainability**

Developments should achieve the lowest level of carbon emissions and water consumption which is practical and viable. Policy CP11 expects new residential developments to achieve Level 4 for the Energy aspect of the Code for Sustainable Homes and Level 4 for the water aspect.

The dwellings will be energy efficient, incorporating fabric insulation standards. The houses will have air source heat pumps and benefit from solar panels where required.

Condition 11 and 12 secures the submission of design-stage data prior to the commencement of development to ensure this is complied with.

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

### **Sustainable Drainage**

The drainage for the development will feed into the mains drainage system on Romsey Road. Condition 37 will ensure the submission of full details of foul and surface water drainage.

The drainage strategy has been amended following concerns raised regarding deep bore soakaways. Storage features, infiltration trenches and basins are being utilised which are considered to be a suitable range of features given the site layout.

Further information is required and is agreed by the Local Flood Authority that this can be conditioned.

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Therefore, the proposal complies with policy DM15 of the LPP2, subject to conditions 37 and 38.

**Trees**

The site is subject to two Tree Preservation orders which protect a number of trees on the northeast and southwest sides of the site. This includes a significant avenue of Lime trees running alongside the main drive.

An Arboricultural Impact Assessment (dated 28th October, 2024) has been prepared in accordance with British Standard 5837:2012 to support the development proposal.

Since the previous application, it has been highlighted by the tree officer that there is a proposed foul sewage connection running through the root protection areas of a number of trees, which are protected by TPO 020 G49.

The guidance (BS 5837 2012) states,

*'Mechanical trenching for the installation of underground apparatus and drainage severs any roots present and can change the local soil hydrology in a way that adversely affects the health of the tree. For this reason, particular care should be taken in the routeing and methods of installation of all underground apparatus. Wherever possible, apparatus should be routed outside RPAs. Where this is not possible, it is preferable to keep apparatus together in common ducts. Inspection chambers should be sited outside the RPA.'*

It further states,

*'Where underground apparatus is to pass within the RPA, detailed plans showing the proposed routeing should be drawn up in conjunction with the project arboriculturist. In such cases, trenchless insertion methods should be used with entry and retrieval pits being sited outside the RPA. Provided that roots can be retained and protected in accordance with the above, excavation using hand-held tools might be acceptable for shallow service runs.'*

In relation to the above guidance, it would be expected that the connection is to be installed using a trenchless insertion method such as microtunnelling. It is also expected that an Arboricultural method statement for this work is submitted to the LPA. This has been submitted in the form of an updated method statement.

Landscaping plan and the tree planting establishment and planting plan has been conditioned to be submitted before work commences. Conditions 22-30 are proposed.

The proposal will therefore comply with policy DM24.

**NHS**

The proposal will create an estimated population of 144 new residents within the development based on an average household size of 2.37. The closest GP surgeries to the proposed development are set out in the representation made by NHS ICB and it is envisaged that the residents of the proposed development will register as patients with these practices. The current combined medical centres providing primary care have insufficient capacity and will not be able to absorb the increased patients arising from the proposed development. The application has been reviewed from a primary care

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perspective and has assessed that a contribution of £29,102 towards increasing primary care infrastructure is necessary and contended necessary to make the application acceptable in planning terms.

Revised NPPF Paragraph 20 sets out that policies should make sufficient provision for community facilities which specifically states health (20c). Paragraph 101 specifically relates to the need to ensure faster delivery of public service infrastructure such as health, and that LPAs should work proactively and positively with promoters, delivery partners and statutory bodies. The NPPF continues to state that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.

A catchment area and projects being planned are listed to increase patient infrastructure capacity it is contended, to meet the increases in patient registration that this application will create and also that the only way to mitigate the impact is to increase the physical capacity of the existing surgeries. The existing surgeries are listed and the constraints and opportunity for their potential improvement along with a calculation of how population equates for floor area. However no specific schemes are detailed of what the contribution would be used for in order to link the impact directly to the scheme.

It would need to be explored in more detail how the Planning obligation could meet the three tests as set out as statutory tests in regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework. However at decision stage of this application there is not an acceptable justification for the future potential for it and therefore this contribution is not required.

### **Equality**

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

### **Planning Balance and Conclusion**

The proposal is for the demolition of Pitt Manor Cottage and the construction of 48 residential dwellings on land adjacent to the dwelling. This is a resubmission of a previously refused application. The only change to this proposal is the affordable housing proposals.

On the basis of the review made by DSP, it is considered that the offer of 5 shared ownership dwellings together with a top up financial contribution of £171,000 is acceptable.

Whilst the proposed development differs from the prevailing spatial character of this part of the area by introducing a new architectural form and design, it is considered to be acceptable and it represents an efficient use of the land to provide residential dwellings in a highly sustainable location.

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The applicant has worked with officers, and it is considered that the resulting scheme can be supported.

Other planning considerations, such as landscape, ecology drainage, water, construction and waste management have been addressed appropriately. The application is therefore considered acceptable.

**Planning Obligations/Agreements**

In seeking the planning obligations and/or financial contributions for BNG, Highways, affordable housing, the Local Planning Authority has had regard to the tests laid down in para 58 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

**Recommendation**

Application Granted subject to the following obligations and conditions:

**Legal Agreement – Heads of Terms**

1. **Affordable Housing financial contribution to Winchester City Council**
  - a. 5 on site shared ownership affordable dwellings.
  - b. £171,000 (index linked) to be paid in full before development commences.
2. **Traffic Regulation Order / Section 278 agreement and financial contribution of £15,000 to Hampshire County Council**
  - a. Remove on-street parking on the north side of Kilham Lane to facilitate the vehicular accesses
  - b. Contribution of approx. £15,000.
3. **Capital Asset Value for Amenity Trees (CAVAT) Assessment financial contribution of £13,233 to Hampshire County Council**
  - a. The felling of trees on highways land to enable the formation of the vehicular accesses and their visibility splays
4. **Traffic mitigation measures - financial contribution of £210,000 to Hampshire County Council**
  - a. Towards either pedestrian or cycle improvements on LCWIP route 260, or a capacity improvement scheme at the Kilham Lane/Romsey Road signal junction based on drawing 151.0013-0013 Rev P02 to provide additional flare length on Kilham Lane to allow 3 cars to wait side by side.
  - b. Contribution of £210,000.
5. **Travel Plan – including approval and monitoring fees of £15,000 to Hampshire County Council**
  - a. A travel plan is required and will be appended to the s106.

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6. **Biodiversity Net Gain on-site gains requiring Habitat Management and Monitoring Plan (HMMP) and monitoring fees**

- a. Secure off-site habitat units to meet the 10% requirement.
- b. The on-site BNG to be secured including HMMP and monitoring fees.

7. **Public Open Space management, maintenance and monitoring fees**

- a. A management company will be agreed and secured to manage and maintain common parts. This will include the areas of open space - which will be publicly accessible. This comprises the 'Woodland Park' and the 'Central Greenspace', and within the former will be children's play space as shown on submitted plan 'Management Company Land' ref KLWIN-BSL-ZZ-DR-A-0035.

**Planning 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:

Site Location – PMWIN-BSL-ZZ-ZZ-DR-A-0001 Rev G3  
Masterplan – PMWIN-BSL-XX-ZZ-DR-A-0010 Rev D  
Masterplan accommodation - PMWIN-BSL-XX-ZZ-DR-A-0021 Rev D  
Masterplan parking - PMWIN-BSL-XX-ZZ-DR-A-0023 Rev D  
Masterplan refuse strategy - PMWIN-BSL-XX-ZZ-DR-A-0024 Rev D  
Masterplan Building heights - PMWIN-BSL-XX-ZZ-DR-A-0025 Rev D  
Masterplan ground floor - 1038-SH-01-B  
Masterplan boundary treatments - 1038-SH-02 B  
Existing buildings Key Plan - PMWIN-BSL-XX-ZZ-DR-A-0011-P1  
Masterplan Management company plan - *PMWIN-BSL-XX-ZZ-DR-A-0035*  
Proposed street scenes (combined) - PMWIN-BSL-XX-ZZ-DR-A-0033  
Proposed street scenes 1 - PMWIN-BSL-XX-ZZ-DR-A-0031  
Proposed street scenes 2 - PMWIN-BSL-XX-ZZ-DR-A-0032  
Proposed street scenes 3 - PMWIN-BSL-XX-ZZ-DR-A-0033  
Proposed street scenes 4 and 5 - PMWIN-BSL-XX-ZZ-DR-A-0034  
Proposed street scenes 6 and 7 - PMWIN-BSL-XX-ZZ-DR-A-0035  
House type A Plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0100 Rev B  
House type B plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0110 Rev B  
House type C1 plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0120 Rev C  
House type C2 plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0120 Rev C  
House type D plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0130 Rev D  
House type E plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0140 Rev C  
House type F plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0150 Rev B  
House type G plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0160 Rev B

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House type H (plot 12) plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0170 Rev B  
House type H (plot 18) plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0170 Rev B  
House type I plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0180 Rev C  
House type J plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0190 Rev C  
House type L plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0210 Rev D  
House type M plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0220 Rev D  
House type M street view elevations - PMWIN-BSL-XX-ZZ-DR-A-0221 Rev G1  
House type N plans and elevations - PMWIN-BSL-XX-ZZ-DR-A-0230 Rev C  
Twin and single garages - PMWIN-BSL-XX-ZZ-DR-A-0240 Rev P1  
Site sections 1 of 2 - KLWIN-BSL-ZZ-XX-DR-A-0026 Rev G1  
Site sections 2 of 2 - KLWIN-BSL-ZZ-XX-DR-A-0027 Rev G1  
Illustrative Landscape masterplan - P24-0804\_EN\_0008 Rev L  
Access Design and Vehicle Tracking - 151.0013-0001 Rev P07  
Proposed Pedestrian Crossing – Visibility Splay - 151.0013-0003 Rev P07  
Western Access Design, Tracking and Visibility - 151.0013-0006 Rev P03  
Internal Visibility Splays - 151.0013-0007 Rev P04  
Internal Movement Plan - 151.0013-0012 Rev P01  
Signalised Junction Improvement Scheme - 151.0013-00013 Rev P02  
Drainage Strategy - FW2422-D-400 Rev P3  
Topographical Site Survey - 05PM01A Sheet 1 of 4, 05PM01A Sheet 2 of 4, 05PM01A Sheet 3 of 4, 05PM01A Sheet 4 of 4  
Measured Building Survey Drawings - 14710 S1, 14710 S2, 14710 S3, 14710 S4  
14710 S5

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 damp proof course (DPC) level until drawn sections and elevations of the external windows and doors (at a scale of 1:5), have been submitted to and approved in writing by the Local Planning Authority. The submitted details must be referenced against the approved plans, and must show the relationship with the surrounding fabric. The development shall then proceed in strict accordance with the approved plans unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure the preservation of the character and appearance of the area.

4. 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. The submitted details should include samples, including on-site sample panels as applicable, along with details of brick bonding, mortar / render colour and texture, and pointing finish. 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.

5. All bathroom windows in the dwellings hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass

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Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the side elevations of the dwellings hereby permitted.

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

7. The parking areas including the garages shall be provided in accordance with the approved plans before the dwellings are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwelling houses.

Reason: To ensure the permanent availability of parking for the property.

8. 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 DPC 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.

9. No development shall take place above DPC level 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 in accordance with the Masterplan boundary treatments drawing 1038-SH-02-B. The boundary treatment shall be completed before the final dwelling in 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.

10. No development 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.

11. Prior to development above DPC level, detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013

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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 2024 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

12. 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 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 2024 and to accord with the requirement of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

13. 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.

14. No demolition works shall commence on site until a Construction Environment Management Plan (CEMP) relating to the development of the site has been submitted to and approved in writing by the local planning authority. All demolition works shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by the local planning authority) which shall include (but shall not necessarily be limited to):

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- a) Details of how provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or works vehicles;
- b) The measures the developer will implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or works vehicles are parked within the planning application site;
- c) Arrangements for the routing of lorries and details as to how works traffic will access the site;
- d) The arrangements for deliveries associated with all demolition works, loading/ unloading of plant & materials and restoration of any damage to the highway;
- e) The measures for cleaning the wheels and underside of all vehicles leaving the site;
- f) A scheme for the suppression of any dust arising during demolition or clearance works;
- g) The measures for cleaning the highway to ensure that it is kept clear of any mud or other debris falling from works vehicles, and
- h) A programme and phasing of the demolition work;
- i) Location of temporary site buildings, compounds, materials, and plant storage areas used during demolition;
- j) Provision for storage, collection, and disposal of rubbish from the development during the demolition phase;
- k) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- l) Temporary lighting;
- m) Protection of pedestrian routes during demolition;
- n) No burning on-site;
- o) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.
- p) details of phasing of the site

Reason: In the interests of highway safety; and to ensure the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the demolition phase.

15. Prior to development above DPC level, the following details shall be submitted to and approved in writing by the Planning Authority.

- (a) a specification of the type of construction for the roads and footpaths, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels together with details of street lighting and the method of disposing

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surface water;

(b) a programme for making up the roads and footpath.

The development shall be carried out in accordance with the approved details before any part of the development is occupied unless otherwise first agreed in writing by the Planning Authority.

Reason: To ensure that the roads and footpaths are constructed to a satisfactory standard.

16. No development shall commence, excluding demolition works, until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment ref: FW2422\_FRA\_001 V3, has been submitted to and approved in writing by the Local Planning Authority. The submitted details should include:

a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.

b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed and demonstrating the 1m unsaturated zone.

c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.

d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.

e. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

f. Details on how the drainage features will be protected from construction activities.

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

17. No development or any works of site preparation shall take place until,

A Written Scheme of Investigation for a programme of archaeological mitigation works based on the results of the trial trenching to the local planning authority for approval in writing. The Written Scheme of Investigation shall include:

i. The programme and methodology of site investigation and recording

ii. Provision for post investigation assessment, reporting and dissemination

iii. Provision to be made for deposition of the analysis and records of the site investigation (archive)

iv. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation and;

b) have implemented the programme of archaeological mitigation works in accordance with the approved details. No development or site preparation shall take place other than in accordance with the approved Written Scheme of Investigation.

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Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

18. Following completion of archaeological fieldwork, within 9 months (unless otherwise agreed in writing), a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

19. 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.

20. No development shall take place unless otherwise agreed in writing until a scheme to deal with contamination shall be submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall conform to current guidance and best practice as set out in LCRM – Land contamination risk management and BS10175:2011 Investigation of potentially contaminated sites - code of practice; or other supplementary guidance and include the following phases, unless identified as unnecessary by the preceding stage and agreed in writing by the LPA:

- a) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the preliminary conceptual site model as presented in the desk top study; and
- b) A remedial strategy detailing the measures to be undertaken to remove or avoid risk from contaminants and/or soil gas identified when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a suitably qualified person to oversee the implementation of the works.

Where a potential for contamination to be present has been identified a site assessment is required to quantify risks to the developer during construction and to future occupants. It is  
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important this is undertaken prior to development commencing to enable appropriate remedial solutions to be incorporated into the final design stage of the development (such as the need for contamination removal or treatment, design and installation of gas protection measures, the use / re-use of materials on site or the need for cover systems and to ensure protection to workers and the general public during the development.

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

21. Prior to the occupation of the development hereby permitted, written verification produced by the suitably qualified person nominated in the approved remedial strategy shall be submitted to and approved in writing by the Local Planning Authority. The report must demonstrate that the approved remedial strategy has been implemented fully, unless varied with the written agreement of the Local Planning Authority in advance.

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

22. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- 231580- AIA 3 written by Eco Urban Arboricultural and the AMS ref 231580 written by Eco Urban Arboricultural dated 9<sup>th</sup> September 2025 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.

23. 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:- 231580- AIA 3 and Tree Protection Plan, Ref:- ECO 13 Tree Protection for Pitt manor, Winchester and the AMS ref 231580 written by Eco Urban Arboricultural dated 9<sup>th</sup> September 2025. Telephone – Tree Officer. 01962 848360

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

24. The Arboricultural Officer shall be informed prior to the commencement of construction of special surfaces under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848360

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

25. 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:- 231580- AIA 3 and the AMS ref 231580 written by Eco Urban Arboricultural dated 9<sup>th</sup> September 2025.

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

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26. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement Ref:- 231580-AIA 3 and the AMS ref 231580 written by Eco Urban Arboricultural dated 9<sup>th</sup> September 2025: 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.

27. 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.

28. 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.

29. The Woodland Management Plan ref 231580-WMS shall be implemented in full to the satisfaction of the LPA from the commencement of the development and thereafter maintained in strict accordance with the management provisions and scheme.

Any deviation from works prescribed or methods agreed in accordance with the Woodland Management Strategy Ref:- 231580 – WMS – Pitt Manor: shall be agreed in writing to the Local Planning Authority.

Reason: To ensure that reasonable measures are taken to establish trees in the interests of local amenity and the enhancement of the development itself in accordance with the National Planning Policy Framework 2024 and policy DM15 of the adopted Winchester District Local Plan Part 2 2016.

30. No development including ground preparation, temporary access construction or construction work shall commence on site until a Tree Planting Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the position, species and sizes of all new trees proposed for the development and shall include a plan to show all services and other infrastructure within the influence zone of the trees as they mature. The plan shall also include a method statement for specific tree planting details, including tree pits to demonstrate that the underground soil volume and

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post planting watering can be achieved to support establishment in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape, in accordance with the details in the New Tree planting and maintenance strategy by Ecourban Arboriculture.

Reason: To ensure that reasonable measures are taken to establish trees in the interests of local amenity and the enhancement of the development itself in accordance with the National Planning Policy Framework 2024 and policy DM15 of the adopted Winchester District Local Plan Part 2 2016.

31. Development may not be begun on site unless:

- (i) a Biodiversity Gain Plan has been submitted to the LPA ; and
- (ii) The LPA has approved the Biodiversity Gain Plan.

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

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

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

32. Development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan under Condition 31 has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include the following details:

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

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

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

33. The development shall be carried out in accordance with the measures set out within Ecological Assessment by Pro Vision dated March 2025 V4. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

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

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

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

35. Prior to occupation of the development hereby permitted, full details demonstrating how noise sensitive premises will be suitably protected from external noise or vibration shall be submitted to and approved in writing by the Local Planning Authority.

Development must then continue in accordance with the approved details. Any mitigation measures must be in operation prior to the occupation of the development.

Reason To ensure acceptable noise levels within noise sensitive premises are maintained.

36. Electric Vehicle Charging Point (EVCP) in accordance with the Air Quality SPD Appendix F - Electric Vehicle Infrastructure Specification shall be installed prior to the commencement of the parking or any other ancillary or incidental use of the garage hereby approved and thereafter retained.

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.

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37. 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.

38. No development shall begin until a detailed surface water drainage scheme for the site, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a. A technical summary highlighting the key design principles and amendments made since previously reviewed.
- b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed and demonstrating the 1m unsaturated zone.
- c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations. This must also demonstrate the 10m offset to infiltration features.
- d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- g. Details on how the drainage features will be protected from construction activities with confirmation on how it can be maintained post works demonstrating sufficient access requirements.

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

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

Reason: To protect the amenities of the locality and to maintain a good quality environment.

40. Prior to development above DPC level, details in relation to the 'Play space' located in the wooded area of the application site shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details.

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

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

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

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

Reason: In the interests of highway safety.

**Informatives:**

01. In accordance with paragraph 39 of the NPPF 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, MTRA2, CP1, CP2, CP3, CP7, CP10, CP11, CP13, CP14, CP15, CP16, CP17, CP20 and CP21

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM2, DM6, DM15, DM16, DM17, DM18, DM21, DM23, DM24, DM29 and DM31

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,  
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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](http://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](http://www.southernwater.co.uk)

09. 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.

10. 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

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maintained, and works can only recommence once the nest becomes unoccupied of its own accord.

11. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place.

Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

If at any point during construction works any great crested newts are identified, then the following instructions must be strictly adhered to: - Stop all works immediately and leave the area - Inform an ecologist immediately who will provide further guidance / instructions - Do not try to handle or rescue a great crested newt - Do not resume construction works until advised it is safe to do so by an ecologist If the applicant wishes to completely avoid any risks relating to great crested newts, they have the option to enquire for the Council's District Licence, which provides full legal cover for any impacts to great crested newts and therefore removes the risk of having to stop works if great crested newts are found on site. More details on the District Licensing Scheme operated by the council can be found at <https://naturespaceuk.com/>

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

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

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

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

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