

PLANNING DEVELOPMENT CONTROL (VIEWING) SUB-COMMITTEE

19 June 2007

ERECTION OF 1 NO DWELLING (RE-SUBMISSION) - 2 RIVERSIDE COTTAGES  
FINCHES LANE TWYFORD WINCHESTER

REPORT OF CORPORATE DIRECTOR (OPERATIONS)

Contact Officer: Neil Mackintosh Tel No: 01962 848244 nmackintosh@winchester.gov.uk

RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

This application is the resubmission of an application for one dwelling. The original application (W20147/01) was withdrawn by the applicant, as it was for a contemporary design that did not meet with local approval.

This application was originally reported to Committee on 1 February 2007 because of the number of objections received. Members resolved that the matter should be decided by a Viewing Sub-Committee. Viewing took place on 20 March 2007 and Members also took the opportunity of looking at the site from Finch's Lane, Norris's Bridge and gardens on the other side of the River Itchen. Unfortunately, the public meeting that was to follow the Viewing had to be postponed.

Since the Viewing, amended plans have been submitted and these have been advertised on site and the neighbours, Parish and other interested parties have been notified. Notice of this meeting has also been posted on site and at the Village Hall.

In summary, the revised plans show; an amended footprint with development closer to the north boundary, a reduction in the height of the octagonal tower by circa 1.4m and its relocation towards the front of the site with the corresponding square tower moving to the rear, the deletion of the balcony facing the river, the addition of a ground floor element with a reduction in the number of windows facing south west. The changes bring the dwelling closer to Riverside cottages so that the minimum distance to the listed building is reduced from 9.0m to 4.5m.

It should also be noted that the application does not include a bund adjacent to the river.

RECOMMENDATIONS:

Application Permitted subject to conditions.

**Case No:** 06/03106/FUL / W02889/01  
**Proposal Description:** Erection of 1 no dwelling (RE-SUBMISSION)  
**Address:** 2 Riverside Cottages Finches Lane Twyford Winchester Hampshire  
**Parish/Ward:** Twyford  
**Applicants Name:** Mr Neil Briercliffe  
**Case Officer:** Mr Neil Mackintosh  
**Date Valid:** 3 October 2006  
**Site Factors:** Twyford Conservation Area  
Within 50m of Listed Building  
Adjacent to Special Area for Conservation and Site of Special Scientific Interest (River Itchen)  
**Recommendation:** Application Permitted

## General Comments

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## Site Description

The application site is to the rear of Riverside Cottages, next to the River Itchen. The 'Cottages' are a listed building that has recently been converted into a single dwelling.

The application site comprises 0.15ha of land that slopes gently towards the river. It contains a group of mature trees, on the river bank, a small outhouse and a pair of garages.

Vehicular access is from Finch's Lane and is shared with Riverside Cottages.

A beech hedge separates the site from the curtilage of the listed building.

Adjacent to the site, on higher ground, is 'The Studio', a former outbuilding of Bridge House, now converted into a dwelling. It is understood that this property owns a paddock to the South of the application site.

On the far side of the River is a group of houses, formerly part of the Shawford Park estate,

including some converted from the stables, and Appletree House within the walled garden.

## **Proposal**

The proposal is to demolish the domestic garages on the site and erect a five-bedroom house, of unusual design, that will complement the listed Riverside Cottages. The concept is, to quote the architect, "to design riverside buildings. It is meant to give the subliminal impression of water mills, boat houses and other industrial river buildings of another era."

## **Relevant Planning History**

**W20147/01** – erection of a four-bedroom dwelling, withdrawn 2006

## **Consultations**

### Conservation:

Approve – The site does not form part of the historic curtilage of Riverside Cottages and the design of the building has been evolved so that it is broken down into four distinct parts. "This fragmentation minimises the bulk of the building and therefore the impact on the neighbouring buildings and more particularly the Grade 2 Listed Riverside Cottages"

"The visibility of the house from the public domain is restricted by Riverside Cottages and the trees on the riverbank".

With regard to the amended plans, although the building will now be closer to the listed building its impact has been ameliorated by the re-siting of the octagonal tower and its reduction in height.

### English Heritage

"The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice."

### Landscape:

Concerns regarding lack of tree information, the setting of the cottages and the River Itchen Site of Special Scientific Interest (SSSI)

"The proposed house is a unique and interesting design but I have concerns that the site is too limiting in size and does not allow enough space about the building to allow it to settle into its surroundings".

### Engineers: Highways:

No highway objections – The moving of the vehicular access 3m to the North will improve visibility and no material increase in traffic will occur.

### Southern Water:

There is a public sewer passing through the site and no development or planting should take place within 3m of its centreline. It should be protected during development. Formal consent will be required from Southern Water to connect to the sewer (Informative 3).

### Environment Agency:

Originally objected to the granting of planning permission but this was subsequently withdrawn and a minimum finished floor level was required by the Agency. The amended plans take this requirement into account.

The Agency also point out that works may be necessary to protect the existing cottages from flooding, but this is outside the scope of the current planning application.

### Natural England:

Letter dated 26/02/07 - "It is our advice that these works are unlikely to affect any protected species".

Letter dated 19/03/07 – "We now understand that some works to a wall and the installation of a

bund may potentially affect the trees within the application site". "It would be prudent of Winchester City Council to request that potential presence and signs of bats are surveyed for, in any trees that may be affected by these works."  
However, any proposals for a bund within the application site are now considered to be a separate matter, outside the scope of this application.

### **Representations:**

Twyford Parish Council – strongly object – “an inappropriate house within close proximity to the Grade 2 listed Riverside cottages”

Letters received from 12 households objecting to the original application, for the following reasons:

- Inadequate Design Statement
- Contrary to Policy DP 3 of the Local Plan in that it fails to respond positively to the character and appearance of the local environment
- Proposal is too big, too high and fails to complement the setting of the listed building or the Conservation Area
- Fails to conserve the special landscape character of the Itchen Valley
- Would adversely affect the River Itchen SAC and SSSI and protected species
- There has been no Flood Risk Assessment and there have been flooding problems
- Would adversely affect the amenities of neighbouring properties
- Would exacerbate traffic problems in Finches Lane

No letters of support received.

Following advertisement and notification of the amended plans 6 of the above have reiterated their objections.

### **Relevant Planning Policy:**

Hampshire County Structure Plan Review:

H1, H5, UB3, E6, E10, E16, T4, T6, R2

Winchester District Local Plan Review:

H3, DP1, DP3, DP8, HE4, HE5, HE16, CE7, CE8, T1, T2, T4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

PPS 9 Biodiversity and Geological Conservation

PPG 13 Transport

PPG 14 Development on Unstable Land

PPG 15 Planning and the Historic Environment

PPG 17 Planning for Open Space, Sport and Recreation

PPG 25 Development and flood risk

Supplementary Planning Guidance

None

Other Planning guidance

Guide to the Open Space Funding System

Hampshire Biodiversity Action Plan

Itchen Valley Management Strategy

Movement, Access, Streets and Spaces

Parking Standards 2002

Winchester District Landscape Assessment

## Planning Considerations

The material considerations to be considered are;

1. Is residential development appropriate in this location?
2. Is the proposed vehicular access safe for this use?
3. Will the development have an adverse effect upon the amenities of neighbouring residential uses?
4. Will it adversely affect the setting of a listed building or the Twyford Conservation Area?,
5. Will it have an adverse effect upon landscape features or the adjacent River Itchen Special Area for Conservation and Site of Special Scientific Interest?

### Principle of development

The site lies within the Twyford Village Policy Boundary, as defined by the Winchester District Local Plan Review and, as such, the presumption is in favour of residential development. This is a sustainable site and PPS3 requires that consideration should be given to development of at least 30 dwellings per hectare. However, bearing in mind the substandard access, the setting of the adjacent listed building, the character and appearance of the Conservation Area and the possible affect on trees and the biodiversity of the River Itchen, such density would be inappropriate in this instance. A single dwelling results in a density of only 6 dwellings per hectare.

Although the assumption is in favour of residential development this must be tempered by the characteristics of the site, as required by Policies DP3, HE4, HE5, HE16 and the Transport Policies of the Local Plan. In addition, flood risk must be considered, as regulated by Policy DP8.

### Design/layout

This proposal has been designed by an architect specifically for this site and the Design Statement asserts that the design concept takes account of the location and history of the site. In order to keep the overall height of the building down the building has been divided into four towers of varying heights joined by a single storey, flat-roofed area. Three of the towers are square and the fourth 'feature' tower is octagonal. The materials chosen are typical of Twyford, and a riverside location, in that hand made clay tiles, red brick, flint and weatherboarding are proposed.

Following negotiation with the occupier of Appletree Cottage the developer has submitted amended plans to address the overlooking problems that had been perceived. A balcony has been removed and a single storey element with a long, sloping roof has been added to the building, reducing the amount of windows facing in a south-westerly direction. The 'feature' tower has been relocated towards the front of the site.

### Impact on character of area and neighbouring property

The dwelling will largely be screened from Finches Lane by trees, and by Riverside Cottages. The bulk of the building will only be glimpsed down a 30m drive from Finches Lane. It is considered that the house would sit comfortably in its plot and would not represent an intrusive or damaging feature in the Conservation Area. It is acknowledged that the design is unconventional and distinctive although it incorporates a traditional mix of materials which reflect its location. It is considered that scale and mass of the building are not inappropriate for its setting and that its unusual style would not, in itself, harm the area's character or appearance. Arguably the distinctive design of the house would add interest to the area. As a result it is considered that the development would preserve if not enhance the area's character and appearance.

Apart from the listed building and 'The Studio' it is considered that all other buildings are too far away to be materially affected by this proposal. Houses on the other side of the river are more than 40m away and Bridge House and Bridge Lodge are on a higher level. The latter is also true of 'The Studio', but this house immediately adjoins the application site and occupants will be aware of the new building. However, the design and position of the proposal mean that this property is unlikely to suffer from a materially harmful loss of light or privacy.

### The setting of 'Riverside Cottages'

'Riverside Cottages' were unoccupied for many years and were included on the Council's 'Buildings at Risk' Register.

The List description is, as follows;

*Row of cottages. Early C19. Brick, old plain tile roof. 2 storey, 2 bay cottages. Each side of centre planked door in solid frame, with tiny gabled hood over. To side of each 3-light casement in left bay similar door with 2-light casement beside and in right bay 2 irregular 2-light casements. All openings have segmental heads. Outshot at right end with door and hipped single storey addition to left. On 1st floor 2 2-light casements in centre bay, 4 light casement in left and 2-light to right bay. All windows have leaded lights. Roof hipped with stacks between left and right bays.*

Listed Building Consent has been granted for the restoration of the building and the scaffolding and sheeting that protected it at the time of the Viewing has now been removed.

The Council's historic environment policies are intended to protect not only this building but also its setting. It is considered that the degree of physical separation between the proposed house and the listed building, and the scale of the new dwelling in its revised form, would mean that the setting of Riverside Cottages would not be adversely affected.

However, local residents have expressed fears that the proposed new dwelling would 'rear up' behind the listed building and dominate it. The existing cottages are only 6.2m high and, as a result of the minimum finished floor level imposed by the Environment Agency, the site to the rear will have to be made up by about 0.5m. The octagonal tower feature of the proposal has been moved closer to the listed building but its height has been reduced from 9m to 7.6m. The reason given for this design, incorporating four 'towers' with a linking single-storey element, is to reduce the overall height of this four-bedroom house. It is possible that the peaks of the 'tower' roofs might be visible above the cottages but this, in itself, is not sufficient reason to refuse development. It is strongly preferable to the prospect of viewing a conventionally designed two-storey house, the roof of which would be likely to dominate these modest cottages.

### Landscape/Trees/Ecology

A Tree Impact Assessment and Method Statement has not been submitted in respect of this application. However, the submitted plans do show a Tree Protection Zone 8m from the trunks of the trees adjacent to the River. Provided that a substantial fence is erected between the site of the house and the trees this will effectively prevent the trees from being damaged by machinery or the storage of materials (Condition 7).

The erection of this fence will also serve an alternative purpose. It will prevent builders and contractors and their machines from gaining access to the River Itchen, thus protecting the 8m 'no go' zone required by the Environment Agency and obviating any risk to protected species in the Itchen, which is of European, as well as National, importance for wildlife. Natural England requires only a 5m 'no go' zone.

Additional planting may be required within the area between the house and the River but this will have to be carefully controlled to be ecologically sound (Condition 6).

It has been suggested that bats may roost in the trees on site and this has been brought to the attention of Natural England. They advise that, "if works are likely to affect any trees or if bats or evidence of bats are found at any time, all works must stop immediately and Natural England contacted for further advice"

### Highways/Parking

There is sufficient area on site for the parking and turning of vehicles. However, local concern has been expressed about the inadequacy of the access from Finches Lane. At one time Riverside Cottages contained four dwellings and, in more recent years, the building was occupied as two units, and now it will be one. If this application is permitted there will be no net gain in dwellings served by the vehicular access. The applicant proposes that the access should

be altered to improve visibility and this is acceptable in highway safety terms.

#### Flood risk

It is believed that the site may have flooded as recently as 2000. However, this was probably caused by excessive rainfall flowing down Finches Lane, towards the river, being diverted down the drive and into the site. There is no evidence that the site floods as a result of the River Itchen rising but the Environment Agency states that there is a 1% risk. To minimise the risk of flooding the EA has suggested a minimum finished floor level and the plans have been amended to incorporate this. Measures to prevent flooding of the 'cottages' is being considered as a separate matter. Consequently, the bund adjacent to the river, which was previously proposed, does not form part of this application. It is not needed to protect the proposed house from fluvial flooding.

#### Public Open Space provision

The applicant has paid £2,492 in respect of the provision of off-site play and sports facilities.

#### Permitted Development

Owing to the size of the proposal, and the sensitivity of the site, it is proposed to withdraw permitted development rights regarding extension of the property and the erection of outbuildings adjacent to the River Itchen. (Condition 8)

#### **Recommendation**

Application Permitted subject to the following condition(s):

#### **Conditions**

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

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

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

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

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

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings.

4 Details of the siting and design and method of fixing of any external meter boxes/metal ducting/flues to be provided, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The works hereby permitted shall be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the building, the adjacent listed building and the Twyford Conservation Area.



5 Full details of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details.

Reason: To protect the character and appearance of the building, the adjacent listed building and the Twyford Conservation Area.

6 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development 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 and to ensure that planting is ecologically appropriate adjacent to the River Itchen SAC and SSSI.

7 The existing trees shown as being protected on the approved plan shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing at least 8 metres from the tree trunks in accordance with BS 5837 (2005).

Reason: To retain and protect the trees, which form an important part of the amenity of the area, and to safeguard the River Itchen SAC and SSSI.

8 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 development permitted by Classes A and E of Part One of 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, maintain a good quality environment and protect the character and appearance of the River Itchen.

9 Details of the provision to be made for the storage and disposal of refuse from the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. This provision shall be fully implemented in accordance with the approved details before the dwelling is first occupied.

Reason: In the interests of the amenities of the locality.

10 No development approved by this planning permission shall be commenced until details of surface water drainage have been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include provision for all surface water drainage from parking areas and areas of hardstanding to be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the water environment.

11 Foul drainage from the development shall connect to the public mains foul sewer, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment.

## **Informatives:**

1. 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.

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

Hampshire County Structure Plan Review: H1, H5, UB3, E6, E10, E16, T4, T6, R2

Winchester District Local Plan Review:H3,DP1,DP3,DP8,HE4,HE5,HE16,CE7,CE8,T1,T2,T4

3. It is a requirement of Southern Water that no development, or new tree planting, should be located within 3 metres either side of the centre line of the public sewer that crosses the site and that all existing infrastructure should be protected during the course of construction works.

4. A formal application for connection to the public sewerage system is required and this should be made to Southern Water, Network Development Team (Wastewater), Southern House, Sparrowgrove, Otterbourne, Winchester.