

89 & 91 Downs Road, South Wonston

10/00134/FUL

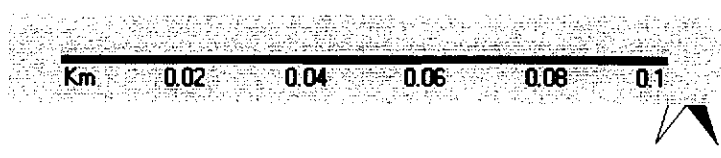


Winchester
City Council



Legend

Scale:



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Organisation	Winchester City Council
Department	Developmentt Services
Comments	
Date	12 May 2010
SLA Number	00018301

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 5
Case No: 10/00134/FUL / W21690
Proposal Description: Demolition of existing garages at numbers 89 and 91 Downs Road and erection of 1 no two bedroom bungalow and 1 no. four bedroom house at the rear of number 89 and 91 Downs Road (Amended description 10.03.2010 to clarify that the proposal relates to 89 and 91 Downs Road).
Address: Lindum 91 Downs Road South Wonston Winchester Hampshire
Parish, or Ward if within Winchester City: South Wonston
Applicants Name: MR G.VAIL, MRS S.LATHAM & MRS J.TAYLOR
Case Officer: Mr Andrew Rushmer
Date Valid: 25 January 2010
Site Factors: TPO trees to the rear
Recommendation: Application Permitted

General Comments

This application is reported to Committee at the request of South Wonston Parish Council, whose request is appended in full to this report.

Site Description

The site is located behind two bungalows (numbers 89 and 91) situated on Downs Road, in South Wonston.

Downs Road is a long straight road providing access to several closes and cul-de-sacs. It is characterised by one and two storey, predominantly detached dwellings. The dwellings in the vicinity generally appear to date back to the 1960s and 70s and are very clearly characterised by having been constructed in that period.

There are also examples of buildings along Downs Road which are built in a more modern/post-modern style, namely the school building, and numbers 94 and 127 Downs Road. A nearby property has also been altered in order to give it a Swiss Chalet appearance and a more contemporary building is currently under construction on the corner of Wrights Close.

A piece of effectively infill backland development has already been slotted in behind numbers 95 and 99 Downs Road, namely Norris Gardens.

Numbers 89 and 91 are a pair of identical detached bungalows dating back to the 1960s. They share an entrance drive and each property has a detached single garage at the end of the drive, set back and to the side of the houses.

Numbers 87 and 93 are again similar to each other, but are older than numbers 89 and 91.

At the rear of the properties is located a row of important Beech trees, which are protected by a tree preservation order.

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A considerable amount of foliage and vegetation runs along the front boundaries creating a very soft edge to the development in the area.

Parking is generally provided off road down long driveways, and hence contributes to the sense of spaciousness which characterises the vicinity.

In terms of topography, the area is generally flat.

Proposal

The proposal is for the erection of 1no 2 bedroom dwelling (the floor area of which is 75 square metres) and 1no. 4 bedroom dwelling. The buildings are contemporary in terms of style. The four bedroom property is two storey, and is approximately 6.4 metres tall. The proposed bungalow is approximately 3.6 metres tall (excluding the chimney which is slightly taller).

Five car parking spaces are proposed, including the garage space in the four bedroom dwelling.

The proposal involves the demolition of both of the garages of the two existing dwellings, but two off road spaces will still be provided for each of these dwellings.

Relevant Planning History

None

Consultations

Engineers: Drainage: No objection subject to building regulations approval.

Engineers: Highways: Registered no objection to the proposal

Specifically, the access is considered adequate and the amount of parking being provided is in accordance with current standards.

A highways contribution of £9202 is required in accordance with the scheme, which would contribute to paying for a cycleway improvement scheme in the village.

Environmental Health: Registered no objection to the proposal

Stated there was no evidence that the land in question is contaminated, but recommended that a condition be imposed in case any unexpected contamination is encountered during the building works (see condition 11).

Landscape: Stated unable to support the proposal as it stands.

More specifically, considered the development was cramped, the parking arrangements awkward and the columner conifer trees proposed were insufficient to compensate for the loss of the trees in the rear gardens being developed.

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Arboricultural Officer: Raised no objection to the proposal

Recommended various conditions in order to ensure that TPO protected trees at the rear of the site are protected during the course of the development (see conditions 4 - 9).

Southern Water:

Stated their survey's suggested Southern Water can provide foul drainage to the proposed development, but recommended that a condition be imposed concerning disposal of surface water (see condition 12).

Representations:

South Wonston Parish Council: Objected to the proposal and recommended a site visit.

Stated the proposal is out of character with the surrounding area, detrimental to the residential amenity of neighbouring properties and cramped. Considered that the buildings proposed would not be seen in conjunction with the two-storey houses which make up Norris Gardens and the four bedroom house would be excessively tall and overbearing on neighbouring properties.

The Parish Council stated the Beech trees to the rear of the site would not provide any significant screening during the winter, and the lack of screening afforded by these trees would be exacerbated by the proposal to prune them. They were also concerned that the proposal may have a detrimental impact on the Beech trees.

The Parish Council stated they considered development of gardens is unacceptable in principle.

7 letters of objection received, stating the following reasons:

- To build a four bedroom house in a 'micro-community' of bungalows is 'quite ridiculous';
- Loss of privacy at nearby dwellings.
- The proposal would be overbearing on the dwellings to the rear.
- The style of the proposed dwellings is out of keeping with surrounding properties.
- Permitting the proposal would be detrimental to highway safety.
- The proposal will have a detrimental impact on the trees.
- There is not sufficient space in which to accommodate the development.
- The proposed development would undermine the spaciousness of the area and undermine the attractiveness of the locality.
- Insufficient parking is being provided.
- The proposal would constitute a fire risk as a fire engine would not be able to get down the access road.
- The arboricultural information is insufficient and excessive work would be required to the trees in order to accommodate the development.
- Norris Gardens is not relevant as it backs onto Wrights Way.
- The design and access statement is inadequate and this implies a lack of analysis on the part of the architect.

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- The proposal constitutes overdevelopment of the site.
- The proposed development would be overpowering and overly prominent.
- Permitting the development proposed would result in the loss of a number of mature trees, and as such have a detrimental impact on the biodiversity of the area.
- The proposal would result in a housing density which is out of character with the surrounding area.
- The proposal is unattractive and unimaginative.
- Permitting the proposal would set a dangerous precedent.

Relevant Planning Policy:

South East Plan 2009:

- BE1,

Winchester District Local Plan Review 2006:

- DP3, DP4, HE3, H7, DP9, RT4

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 3 Housing

Planning Considerations

Principle of development

The site is located within the defined settlement boundary of South Wonston, in which the principle of additional dwellings is acceptable, in line with policy H3 of the Winchester District Local Plan Review 2006.

In addition, the principle of contemporary housing estates has been accepted in numerous instances around the district. Including, to name but a few, Drayton Street in Stanmore, St Thomas Mews in Winchester, 55-61 Dean Lane in Winchester (which was given an award by the City of Winchester Trust) and Hazel Court in Winchester.

During pre-application discussions the capacity of the site to accommodate higher density development was explored, and it was considered that a proposal for three dwellings could not be accommodated on this site whilst also according with the requirements of the Winchester District Local Plan Review 2006 and Planning Policy Statement 3. More specifically, such a development could not realistically provide satisfactory garden sizes, parking, appeared overly cramped, and hence was inconsistent with the character of the area. Planning Policy Statement 3 allows for the density of a scheme to fall below 30 dwellings per hectare where it can be demonstrated that a proposal for thirty dwellings per hectare or more will have a detrimental impact on the character of the area, and that is considered to be the case in this instance.

The housing mix proposed is in accordance with policy H7, as one of the two dwelling being proposed is a small two-bedroom unit.

Design, scale and impact on the character of the area

It is considered that the proposal responds positively to the character of the area, both in terms of design and scale and is hence in accordance with the requirements of policy

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DP3 of the Winchester District Local Plan Review 2006.

Turning to the choice of style, the contemporary approach is both logical, and effective in this instance. More specifically, the character of the built form in the area is very overtly of its time, therefore, it is considered to be logical for new development also to be of its own time. In addition, this style allows for a roof form which minimises the scale of the buildings, and allows for a greater degree of flexibility in terms of fenestration whilst not undermining the integrity of the architecture. The cladding of the first floor of the two storey dwelling in timber will also help to amalgamate the building visually with the backdrop provided by the trees and hence contribute to the proposal sitting comfortably in the site.

Furthermore in relation to style, Planning Policy Statement 3 states that the nature of existing development should not dictate that of new housing by stifling change or requiring replication of existing styles or forms and that imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment. It is considered that the current proposal successfully achieves the goal of imaginative design, according with the character of the area and leads to a more efficient use of land.

In addition, Planning Policy Statements 1 and 3 impose on the local authority the obligation to ensure that opportunities are taken to improve the character of the area. By Design (produced by CABI) states that standard solutions are rarely acceptable, and PPS3 calls for imaginative high quality design, and neither objective would be achieved by simply copying 1960s bungalows. The only other option in terms of design approach would have been to build in a more overtly traditional style, in the manner of the Art and Crafts movement or the domestic revival style, however this would be inappropriate, as South Wonston is not generally characterised by such architecture. In addition, a more traditional style would inevitably involve buildings with larger roofs and hence a more significant impact on the residential amenities of neighbouring properties, a point illustrated by the Norris Gardens development, which though within acceptable parameters, is more visually prominent, from both the public realm and neighbouring gardens, than the dwellings proposed in this instance.

The letters of representation received make frequent reference to the four bedroom house being out of character. However, the Norris Garden development, which is two-storey houses, is only 30 metres away and clearly visible from the site. In addition, when viewed from Downs Road the houses behind the post office stores building are obviously apparent, hence the backland nature of the Norris Gardens site emphasised. In addition, the four bedroom house is only 6.4 metres tall, which is only 0.8 metres taller than numbers 89 and 91. Therefore, it is considered that given the four-bedroom house is next to effectively taller housing in the form of Norris Gardens, set back considerably from the road, combined with the timber cladding, the existing planting along Downs Road, and the proposed planting along the access road, the four bedroom house will not appear out of character. It is considered that the proposed bungalow will not be visually prominent from the public realm and will not have a significant impact on the character of the area.

Moreover, the character of Downs Road is clearly made up of a mixture of houses and bungalows and there are often views of properties to the rear of those fronting Downs Road. The particularly attractive aspect of Downs Road is the spaciousness of the area,

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which is dictated by the set backs from the road and the heavily landscaped front boundaries with the road.

Finally, given that the density of the proposed development is approximately 20 dwellings per hectare, and hence well below the targets outlined in Planning Policy Statement 3, The South East Plan (policy H5) and policy H7 of the Winchester District Local Plan Review 2006, it is not considered that the proposal is or will appear excessively cramped. Indeed a lower density has been accepted in order to respect the character of the area, whilst still achieving a more efficient use of land.

Impact on the residential amenity of neighbouring properties

It is considered that in terms of impact on the residential amenity of neighbouring properties the proposal will be in accordance with the requirements of policy DP3 of the Winchester District Local Plan Review 2006.

Concerns have been raised about overlooking being inflicted on the neighbouring properties to the north. However, the back to back overlooking distance would be approximately 40 metres, which is double that regarded as acceptable in Urban Design Compendium (page 64) and hence it is not considered that this could give rise to a reasonable reason for refusal. In addition, the trees running along the boundary will also provide some screening in the winter and a considerable amount of screening in the summer months.

The window to window distance in connection with numbers 87 and 93 would also be in excess of the 20 metre distance outlined in the Urban Design Compendium, and the end window of the four bedroom dwelling has been angled away from number 93 in order to further ensure that the proposal will not inflict an unacceptable degree of overlooking on number 93. Even if this window were not to be angled away the distance between this window and the neighbouring property would still be acceptable.

In terms of the potential for there to be an overbearing impact, the properties to the north are too far away for this to be an issue, especially given the height of the proposed buildings. With regard to the impacts on numbers 87 and 93 it is considered that given the proposed four-bedroom dwelling will be considerably lower and less imposing than the properties which make up Norris Gardens, and is in approximately the same position relative to number 93, it will not have an overbearing impact on the neighbouring properties. The bungalow will have no significant impact on number 87, due to its height, design and distance from the boundary.

Landscape/Trees

The proposal involves the loss of some small trees and shrubs in the rear gardens of number 89 and 91, but none of the trees to be lost are considered to be worthy of a Tree Preservation Order and cannot be protected. Furthermore, the Council's Arboricultural Officer has raised no objection to their removal.

The proposal involves additional planting along the new access road. The landscaping shown on the plan submitted as part of the application has been deemed insufficient by the Council's Landscape Architect and more effective planting has been requested, such as Flowering Cherry trees. The applicant's agent has indicated that they are prepared to provide the planting requested and a condition has been imposed for a more extensive landscaping scheme (see condition 10).

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The trees to the rear are important to the character of the local area, and are protected by a tree preservation order. An Arboricultural Impact Appraisal and Method Statement has been submitted, and the Council's Arboricultural Officer has indicated that, provided conditions are imposed to require the recommendations in the report to be adhered to during the construction process, the proposal will have no detrimental impact on the protected trees (see conditions 4 – 9).

Highways/Parking

The Council's Highways Engineer has raised no objection to the proposal, as the existing access is deemed adequate and the car parking provision complies with Council's adopted parking standards.

The recommendation for approval is subject to the payment of a financial contribution of £9202 which will go towards a cycleway in the village.

Public Open Space

The recommendation is subject to a payment of £4685 to go towards to provision and upkeep of public open space and play facilities.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for £9202 and £4685, the Local Planning Authority has had regard to the tests laid down in Circular 05/2005 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:

The application should be approved – subject to the applicant entering into an agreement for:

1. A financial contribution of £9202 towards highway improvement
2. A financial contribution of £4685 towards the provision of public open space through the open space funding system

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee)

And the following conditions:

Conditions

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

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

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2. Prior to the commencement of development, details of the external finishing materials (including windows) are to be agreed in writing by the local planning authority and the development carried out in accordance with the approved details.

Reason: In order to ensure that the appearance of the buildings is satisfactory, in accordance with the requirements of policy DP3 of the Winchester District Local Plan Review 2006.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, D, E and G of Part 1 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.

4. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/89&91 downs/001 written by Kevin Cloud of Technical Arboriculture LTD and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site, and retained during the construction period.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity, in accordance with the requirements of policy DP4 of the Winchester District Local Plan Review 2006.

5. 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 AIA/AMS-KC/89&91 downs/001 Telephone 01962 848403.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity, in accordance with the requirements of policy DP4 of the Winchester District Local Plan Review 2006.

06 The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848317.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity, in accordance with the requirements of policy DP4 of the Winchester District Local Plan Review 2006.

7. No arboricultural works shall be carried out to trees other than those specified and in accordance with Method Statement AIA/AMS-KC/89&91 downs/001.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity, in accordance with the requirements of policy DP4 of the Winchester District Local Plan Review 2006.

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8. Any deviation from works prescribed or methods agreed in accordance with Method Statement AIA/AMS-KC/89&91 downs/001 shall be agreed in writing to the Local Planning Authority.

Reasons: To ensure protection and long term viability of retained trees and to minimise impact of construction activity, in accordance with the requirements of policy DP4 of the Winchester District Local Plan Review 2006.

9. 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, in accordance with the requirements of policy DP4 of the Winchester District Local Plan Review 2006.

10. 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 incorporate more extensive planting than that shown on the plan submitted as part of the planning application, such as flowering cherry trees instead of conifer trees. 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: In order to ensure that the proposal has an acceptable impact on the character of the area, as required by policy DP3 of the Winchester District Local Plan Review 2006.

11. 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.

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

12. Prior to the commencement of development details of the proposed means of surface water disposal shall be submitted to and approved by the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that adequate infrastructure is in place prior to the occupation of the dwellings permitted.

13. Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

14. Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

15. The garage hereby approved shall not be used for any other purpose than the parking of cars.

Reason: To ensure the provision and retention of the parking spaces meets the Council's adopted parking standards, in the interests of local amenity and highway safety.

Informatives:

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.

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

Winchester District Local Plan Review 2006: DP3, DP4, H3, H7, DP9, RT4

South East Plan 2009: BE1, H5

Planning Policy Statement 1

Planning Policy Statement 3

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The applicant is advised that a licence will be required to carry out highway works. Please contact: Hampshire Highways, Central Depot, Bar End Road, Winchester, SO23 9NP. (Telephone: 01962 892850).

Winchester City Council

Representation Submitted to 'Planning Applications Online' Web Form

Planning Reference: 10/00134/FUL

Representation Type: Objection

Name: South Wonston Parish Council

Address: PO Box 324

Details:

South Wonston Parish Council writes to object to the proposal to demolish existing garages and to erect a two bedroom and one four bedroom dwelling in the rear gardens of 89 and 91 Downs Road.

The Parish Council additionally requests that this application is considered by the Planning Development Control Committee.

The proposed development is contrary to policy DP3 of the Local Plan due to its poor relationship with nearby dwellings. The development is not compatible with the existing surrounding dwellings and would therefore be detrimental as it bears no relation to the locality, being out of character. Additionally the resultant cramped layout would be detrimental.

The four bedroom dwelling would be of an unacceptable height and be an intrusive structure. This proposal is not in proximity to Norris Gardens (two storey dwellings), which it has been compared to in the application, but would be close to bungalows, and would be too prominent and overbearing resulting in a loss of amenity. The row of Beech trees to the north provides no screening in winter and it is proposed to prune and lift the crowns of the trees which would result in the loss of any lower screening currently enjoyed by the bungalows in Wrights Close (not Wrights Way as stated in the application).

The proposed car parking for the proposed development, set to the rear of the site would also result in an unacceptable loss of amenity and privacy to nearby residents. It is also possible that the aforementioned Beech trees may be harmed by works on site to provide car parking.

The South Wonston Village Plan finds that garden infill is not desirable. It reduces open spaces necessary for health and well being and reduces the increasingly rare stock of dwellings with a garden, which a great many people still desire.

The two existing and two proposed houses would be served by a long narrow driveway, leading to a potential conflict of use, and giving rise to additional

...details continued:

traffic emerging onto Downs Road.

It is essential that this application goes before the Planning Control Committee. A site visit is recommended.