

6 Dean Close, Winchester



Winchester
City Council

13/02859/FUL



Legend

Scale: 0 0.02 0.04 0.08 KM

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Organisation	Winchester City Council
Department	Winchester GIS
Comments	
Date	21/02/2014
MSA Number	100019531

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 4
Case No: 13/02859/FUL / W12985/04
Proposal Description: Erection of 1no detached dwelling with detached garage
Address: 6 Dean Close Winchester Hampshire SO22 5LP
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr & Mrs Eden
Case Officer: Andrea Swain
Date Valid: 20 December 2013
Site Factors: Within settlement
Recommendation: Subject to Legal Agreement

General Comments

This application is reported to Committee because of the number of objections received.
This application is reported to Committee as the applicant works for the Local Authority.

Site Description

Number 6 Dean Close is a large detached bungalow on the north side of the close. Dean Close is a small cul de sac of 9 dwellings within the settlement boundary of Winchester and approximately 1 mile from the city centre. Dean Close is characterised by large detached dwellings in large mature gardens. The rear of number 6 backs onto numbers 3 and 4 Woodpeckers Close to the north and a three storey care home to the north east. To the immediate east is a two storey dwelling – number 7 Dean Close. The gable end of this dwelling is close to the boundary of number 6 but there are no windows looking towards the site. To the west is the large garden area to number 5 Dean Close. There is a mature Leylandii hedge on the north boundary and mature trees and hedgerows to the east and west. The land slopes gently down to the north so that there is a difference in levels of 2 metres from the dwelling to the bottom of the garden. The site is 0.155 hectares in area.

Proposal

Planning permission is sought to sub-divide the existing garden at 6 Dean Close to create a building plot at the north eastern end of the site. The plot would be about a quarter of an acre in size. A new access would be created to the south east of the existing dwelling leading to a four bedroom contemporary style dwelling and detached garage. The existing Leylandii hedge along the north boundary would be removed and replaced with mixed shrubs.

The existing garage and conservatory will be demolished to make way for the new access.

Relevant Planning History

None relevant.

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Consultations

Engineers: Drainage:

A public foul sewer is available in Dean Close or Woodpeckers Drive for the disposal of foul water and the applicant should liaise with Southern Water to agree an acceptable connection point. Storm water must be disposed of in a sustainable way in order to comply with WCC environmental aspirations. Permeable paving should be used for the drive and hardstandings and at least one water butt (in the interest of potable water conservation) be provided for garden irrigation. Surplus storm water can go to suitable positioned soakaways. Provided that Building Regulation is satisfied, there is no objection on drainage grounds.

Engineers: Highways:

Conditional Permission.

Head of Landscape:

Concern that house will be in shade from trees. Additional information requested.

Environment Agency:

No objection.

Southern Water:

Suggest informatives.

Representations:

City of Winchester Trust:

The Trust considers the design of the proposed house to be poor with an unfortunate collision of monopitch roofs on the south west elevation and therefore objects. If this were to be approved with the possibility of overlooking houses and gardens in Woodpeckers Drive, the upstairs windows to the study and shower room should be required to have obscured glass and to be fitted with opening restrictors to prevent this. 8 letters received objecting to the application for the following reasons:

- insufficient information provided to determine how the application meets the requirements of the Neighbourhood Design Statement.
- Increase in traffic and subsequent impact on car parking.
- Impact on pedestrian safety.
- Loss of parking spaces in the Close.
- Proposed drive introduces a hazard.

Relevant Planning Policy:

Winchester District Local Plan Review (WDLPR)

DP3, DP4, DP5, H3, T2, and T4.

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

CP3, CP7, CP10, CP11, CP13, CP14, CP21.

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

St Barnabas West Neighbourhood Design Statement

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Planning Considerations

Principle of development

The site is within the settlement boundary of Winchester where saved policy H3 of the WDLPR proposes that residential development is acceptable in principle.

Design/layout

The St Barnabas West Neighbourhood Design Statement refers to the area being characterised by open space around and between buildings and notes that development should respond to the lower density characteristic of the area. It is considered that a single dwelling on this plot is acceptable, given the low density nature of the area. As such the proposal is in accordance with policy CP14 of the LPP1.

The house is on two floors with single storey wings to the south east and south west. The ground floor of the two storey element is to be partly sunk in order to keep the overall height to a minimum. As such the front of the dwelling will be 6 metres from ground floor level and the rear 4.6m from ground floor level. There will be shallow monopitches for both the main and single storey roofs. The principal elevation is to the south west allowing views up the garden and to promote solar gain. Parking is provided for three vehicles on a hard standing to the front of the dwelling and including the garage. The garage will provide cycle and bin storage. As such the proposal is considered to be in accordance with policies DP5 and T4 of the WDLPR in respect to the layout.

The proposed materials are of stone, render with zinc roofing. The materials and the proposed design are considered appropriate for the setting and in accordance with policy CP13 of the LPP1.

Impact on character of area and neighbouring property

From the public realm only the garage will be visible from the end of the driveway. The new dwelling will be largely screened by the mature boundary planting. The proposed contemporary design is considered to add variety to the locality and is in accordance with policy DP3 of the WDLPR.

There is a distance of 27 metres from the side of the new dwelling and the care home to the north east. A mature tree and boundary planting will screen the building to the north east. As such it is not considered necessary to require obscure glazed windows on the north east elevation. There is a distance of 6.6 metres from the north west elevation of the new dwelling and the boundary with number 5 Dean Close. There is mature planting along the boundary. There is a small bathroom window at first floor level on the north west elevation. Notwithstanding the boundary screening, it is considered appropriate to require the bathroom window to be obscure glazed, given the distance to the side boundary.

It is stated in the planning application that the existing Leylandii hedge along the north boundary will be removed and replaced with shrubs. There is a distance of only 3.6 metres from the rear of the new dwelling and the north boundary. Until new shrubs have matured, the north boundary will be very open and there will be no screening of the new dwelling from numbers 3 and 4 Woodpecker Close. As such, it is considered appropriate

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to require that the first floor rear window on the north elevation, which will serve a study, to be obscure glazed, to protect the privacy of the occupants of these dwellings.

The surrounding neighbouring gardens are large and there is sufficient distance from the proposed dwelling to the existing neighbouring dwellings. As such the new dwelling will not cause any loss of light or overbearing impact on the occupants of the neighbouring dwellings. Accordingly, the proposal is in accordance with policy DP3 of the WDLPR.

Landscape/Trees

Given the removal of some trees from the site, planning condition numbers 3 and 4 will require a landscaping scheme to be submitted and implemented to ensure that the replacement planting will enhance the site in accordance with policy DP4.

Notwithstanding the comments of the Head of Landscape in relation to the shading of the new dwelling and garden, it is considered that the southerly aspect of the new dwelling will ensure that there is sufficient available light to the house and garden.

Highways/Parking

The Highways Engineer was previously concerned about the visibility at the Dean Close / Dean Lane junction. At present visibility is restricted due to a mature hedge row protruding either side of the junction. Discussion has been held with the applicant's agent and with Hampshire County Council (HCC) as highway authority. The extent of the public highway has also been established. The verge fronting 34 Dean Lane and Saxon Hill are in fact public highway, and third party vegetation has been allowed to grow to an extent that it has encroached the highway and is causing an obstruction to the available visibility.

Following the site meeting with HCC, they have confirmed that they will be writing to the owners of the above property asking them to maintain the vegetation within their control which will affectively restore visibility at the junction, and bring it back to accord with current visibility legislation. This would then overcome the previous concerns in respect of adequate visibility for the new dwelling.

The site will accommodate 3 car parking spaces in the form of open spaces and a garage. This meets the City Council's car and cycle parking standards, and although the host dwelling will lose its own garage, adequate off street car parking will still remain.

Access to the site is to be taken from Dean Close, which is an unclassified residential cul de sac. Access will be taken from a point to the north east corner, where the road widens slightly. Some residents have commented that this area can accommodate two car parking spaces, which can be used by visitors to Dean Close. Whilst historically, some car parking may have occurred at this location, the area has not been designed as a formal parking area. It is apparent that the majority of the dwellings within the cul de sac have ample off street parking in the form of garages and driveways, which should easily accommodate the demands of visitor parking.

With regard to the width of Dean Close, it is recognised that it is not of a width that complies with modern design guidance, however, given the situation above with regard to improvements to the visibility and the ability to meet car parking standards for both the existing and proposed dwellings, it is considered that a highway objection could not be sustained on this one issue alone.

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Any consent granted will need to be subject to planning condition numbers 5, 6 and 7, and in line with the adopted Transport Contributions Policy, a contribution of £5457 will need to be provided. The applicant has advised that they will enter into a Section 106 Legal Agreement in respect of these monies. As such the proposal is in accordance with policies T2 and T4 of the WDLPR and policies CP10 and CP21 of the LPP1.

Affordable Housing

Policy CP3 of the LPP1 states that all development which increases the supply of housing will be expected to provide 40% of the gross number of dwellings as affordable housing, unless this would render the proposal economically unviable. On sites of less than 5 dwellings, a financial contribution in lieu of on-site provision will be accepted. In this case a contribution of £54800 is required in order to meet the provisions of policy CP3. The applicant has advised that they will enter into a Section 106 Legal Agreement in respect of these monies. As such the proposal is in accordance with policy CP3.

Public Open Space

There is insufficient room on site to provide any on-site public space. Therefore a financial contribution for public open space and sports provision is considered to be appropriate and has been calculated at £3333 based on the identified requirements for open space in Winchester in the open space strategy for 2013-2014.

The applicant has advised that they will enter into a Section 106 Legal Agreement in respect of these monies. As such the proposal is in accordance with policy CP7.

Sustainability

The house is to be constructed with the following design details:

- Heat recovery system
- Photovoltaic roof panels
- Ground source heat pump for under-floor heating and hot water
- Wood burning stove
- Rainwater harvesting
- Porous hard-standing

Planning condition number 11 will require that these design features are implemented to ensure that the dwelling attains Code Level 4 for water and Code Level 5 for energy in accordance with policy CP11.

Conclusion

The proposal is considered to be in accordance with development plan policy and is recommended for approval.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for highway improvements, public open space and affordable housing, the Local Planning Authority has had regard to the tests laid down in para. 204 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.

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Recommendation

APPROVE – subject to a Section 106 Agreement for:

- 1. A financial contribution of £54800 towards affordable housing.**
- 2. A financial contribution of £3333 towards the provision of public open space through the open space funding system.**
- 3. A financial contribution of £5457 towards highway improvements.**

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

Conditions / Reasons

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

1 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 dwelling 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.

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

3 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- hard surfacing materials:
- car parking layout:
- means of enclosure, including any retaining structures:
- existing and proposed finished levels or contours:

Soft landscape details shall include the following as relevant:

- planting plans:
- written specifications (including cultivation and other operations associated with plant and grass establishment:
- retained areas of grassland cover, scrub, hedgerow, trees and woodland;

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- implementation programme:

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

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

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

5 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.

5 Reason: In the interests of highway safety.

6 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.

6 Reason: In the interests of highway safety.

7 The parking area including the garage shall be provided in accordance with the approved plans before the dwelling is 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 house as a residence.

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

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 windows; other than those expressly authorised by this permission shall, at any time, be constructed in the north and west elevation(s) of the dwelling hereby permitted.

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

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9 The first floor windows in the north west and north east elevations hereby approved shall be obscure glazed and top opening to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

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

10 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 - F of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

11 No development shall commence before details relating to the sustainability of the building, including information regarding how the new dwelling will achieve Code Level 4 for water efficiency, and Code Level 5 for energy have been submitted to and approved by the local planning authority. The dwelling shall not be completed other than in accordance with the approved details.

11 Reason: To promote sustainable building design.

Informatives:

In accordance with paragraphs 186 and 187 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.

the applicant was updated of any issues after the initial site visit

was provided with pre-application advice

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, DP5, H3, T2, and T4.

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Joint Core Strategy (Local Plan Part 1): CP2, CP3, CP7, CP10, CP11, CP13, CP14, CP21.

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).

All precautions must be taken to avoid discharges and spills to the ground both during and after construction.

For advice on pollution prevention measures, the applicant should refer to our guidance 'PPG1 - General guide to the prevention of pollution', which is available on our website at www.environment-agency.gov.uk.

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

Initial investigations indicate that there are no public surface water sewers in the area to serve the development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk