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Scale: 0 0.0125 0.025 0.05 KM

Organisation	^Organisation
Department	^Department
Comments	^Comments
Date	15/06/2016
MSA Number	^PMSA Number

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

Item No: 10
Case No: 15/01925/FUL / W13330/03
Proposal Description: Demolition of existing dwelling and erection of 3 no. five-bedroom dwellings with associated access, garages, parking and landscaping (Amended Plans-10.12.15)
Address: Smallwood Cross Way Shawford Winchester Hampshire
Parish, or Ward if within Winchester City: Compton And Shawford
Applicants Name: Alfred Homes Ltd
Case Officer: Ben Hatt
Date Valid: 27 August 2015
Site Factors:

Civil Aviation
Contaminated Land Consultation
Radon Gas Levels

Recommendation: Application Permitted

General Comments

This application is reported to Committee because of the number of objections received.

Site Description

The property is a large detached house located on the south side of Crossway in Southdown Shawford. It is set within a large plot of land. The properties in the area are mostly large detached dwellings with sizable garden areas. The dwellings in the surrounding area are a mixture of styles and materials, with the design of the existing property (Smallwood) referencing arts and crafts style in form and detailing. The front boundary is enclosed with a low hedgerow and the side boundaries are a mixture of fencing and vegetation.

Proposal

Permission is sought for the demolition of the existing property and erection of 3 No five bedroom dwellings with associated parking and landscaping.

Relevant Planning History

10/00192/FUL 1 no. 4 bedroom detached dwelling with associated access and parking (AMENDED PLANS) PER 29.07.2010
10/00195/FUL Two storey extension to the East of the existing house and replace parapet roof on west elevation with pitched roof (HOUSEHOLDER) (AMENDED PLANS) PER 22.02.2011

The following application is currently under consideration. It has been recommended for approval and is also to be considered by Members at the 30th June Development Management Committee meeting

15/02176/FUL (RESUBMISSION) Erection of new dwelling and detached garage with guest

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room above.

Consultations

Engineers: Drainage: No objections

Engineers: Highways: No objections

Environment Agency: No objections

Southern Water: No objections

Representations:

Parish Council

- **Objections:**

"The Compton and Shawford Parish Council has particular reservations in connection with the application reference W13330/03. It is in relation to non-adherence to the criteria laid down in the Compton and Shawford Village Design Statement, published in November 2011. This VDS clearly states in Appendix 1: "A Settlement Pattern Design Guidelines",

ref, A4 "All new development should take into account density and plot sizes and should not appear disproportionate to the plot size relative to neighbouring properties. Plots should be adequate in size to retain important trees. LP policy H.7 ref A5 All new build should include adequate off-street parking in line with the standards set out in Winchester City Councils Car Parking Standards Supplementary Planning Document 2009. LP policy T.4. The basement garage proposed in plot two is a feature associated with city and town developments and is entirely out of character in Cross Way.

Application 15/01077/FUL at Oakmead, 2 The Spinney, Compton Down was refused in July 2015 on the grounds that the proposal would have a materially harmful impact on the visual amenity and character of the area, contrary to policy DP3 of the Winchester District Local Plan Review 2006.

The Planning Authoritys policy to maintain the character of the parish is appreciated and fully supported by the Parish Council."

Letters from 29 different neighbouring addresses/residents' associations were received objecting to the application for the following reasons:

Contrary to the VDS

Impact on highway safety

Impact on character of the area

Overlooking

Impact on amenity

Overdevelopment

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0 letters of support received.

Relevant Planning Policy:

The Winchester District Local Plan Part 2 : Development Management and Site Allocations was approved by the Council 21st October 2015 for submission following public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 6 November to midday 21st December 2015 after which the plan together with supporting documentation and any representations received, were submitted to the Planning Inspectorate for examination on 23rd March 2016.

The Development Plan (for the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004) remains the Local Plan Part 1 (and the remaining saved policies of the Winchester District Local Plan Review) and the Denmead Neighbourhood Plan, and determinations will need to be made in accordance with these documents unless material considerations indicate otherwise.

However, Local Plan Part 2 is a material consideration in the determination of planning applications, and should be given appropriate weight in accordance with paragraph 216 of the National Planning Policy Framework.

Winchester District Local Plan Review

DP3 General Design Criteria

DP4 Landscape and the Built Environment

H3 Development in the Built –up Areas

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

MTRA3 Other settlements in the market towns and Rural Area

CP2 Housing Provision and Mix

CP3 Affordable Housing Provision on Market Led Housing Sites

CP11 Sustainable Low and Zero Carbon Built Development

CP13 High Quality Design

Winchester Local Plan Part 2 - Development Management and Site Allocations (LPP2)

DM1 Location of New Development

DM2 Dwelling Sizes

DM14 Local Distinctiveness

DM15 Site Design Criteria

DM16 Site Development Principles

DM17 Access and Parking

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

Compton and Shawford Village Design Statement

Car Parking Standards

Planning Considerations

Principle of development

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The property is situated within the defined settlement boundary of Southdown in which the principle of the development in question is acceptable, subject to compliance with the detailed provisions of the Winchester District Local Plan Review 2006.

The application is a market-led housing site for three dwellings but has a floor area of >1,000m² and as such is liable for a financial contribution in lieu of on-site provision of affordable housing. The Council has considered the viability of the proposals and has deemed that a full contribution of £60,000 is required, to which the applicant has agreed, so that the proposed development is therefore compliant with Policy CP3 of LPP1.

The Government has announced (March 2015) updates to its policy on housing standards and zero carbon homes. These affect the Council's implementation of Policy CP11 of the adopted Local Plan Part 1. While policy CP11 remains part of the Development Plan and the Council still aspires to achieve its standards for residential development (Code for Sustainable Homes Level 5 for energy and Level 4 for water), Government advice now sets a maximum standard of 110litres/day for water efficiency and the equivalent of Code Level 4 for energy. Therefore, for applications determined after 26 March 2015, Local Plan policy CP11 will be applied in compliance with the maximum standards set out in Government advice. Information provided by the applicant has stated that the environmental sustainability of the proposed dwellings would be considered under building regulations and is addressed by conditions 6 and 7.

Design/layout and impact on character of the area

The character of the area comprises large detached residential dwellings of various architectural styles set within substantial plots. Many are well screened from the public realm by tall dense hedges on respective front boundaries, as is the case in this instance.

A number of objections have been received over the impact on the character of the area and overdevelopment of the site. The proposal would result in the demolition of one large detached property and the erection of 3 large detached properties. Whilst the proposal would result in an increase in density and a reduction in plot size for the three dwellings it is considered that the resultant layout including plot size and amenity areas would be in keeping with the character of the surrounding area which sees large detached properties set in large plots with both front and rear gardens. Tissue analysis submitted by the applicant illustrates that the area for each of the proposed plots would be within the same size range (1,650m² -2,100m²) as almost half of the dwellings within the local area (6 of 15 including the proposed development) with 2 dwellings being located on smaller plots and 7 being located on larger plots. Within the local area, dwellings of similar size and larger than those proposed are located within plots of similar size and smaller to those proposed. Whilst the proposed development would result in a slightly narrower frontage to other properties along Cross Way it is not considered that this would result in an unacceptably adverse impact on the character of the local area and as such the proposed development is not considered to be contrary to LPP1 Policy CP20 or the Compton and Shawford Village Design Statement.

The proposed dwellings are set back from the front of the site with all three units following the linear form of Crossway which ensures the existing building line is preserved, ensuring the character of the area is respected. In addition to this the two garages proposed have been removed following the submission of amended plans. This ensures that the open character of the area is retained and does not result in any

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incongruous features along the front of the properties and as such reflects the Shawford and Compton Village Design Statement.

The proposed development is for three 5 bedroom dwellings, however Policy CP2 of LPP1 states for new housing developments, the majority of homes should be in the form of 2 and 3 bed houses. The Tissue Analysis provided by the applicant has demonstrated that the majority of dwellings within this area are of a similar or larger size to those proposed. Depending on local circumstances Policy CP2 allows for an alternative approach to be taken other than providing 2 or 3 bedroom houses. The evidence submitted by the application demonstrates that the local area is predominantly comprised of large dwellings within large plots. The applicant contends that this demonstrates that this characteristic results in the local area having a specific landscape and density character that would be adversely affected by providing a larger number of smaller dwellings each located within small plots and that these local circumstances represent sufficient grounds to allow an alternative approach to be taken to that set out in Policy CP2. It is considered that this assessment is not unreasonable and that sub-dividing this plot to provide a larger number of small dwellings would have an adverse effect on the particular local character of the area which is sufficient to justify a departure from Policy CP2 in this respect.

Impact on neighbouring property

Whilst the proposal would result in an additional 2 dwellings on the site that would finish closer to both adjoining neighbouring properties there is still significant distance between the side elevations of units 1 and 3 and the adjoining properties which along with existing boundary treatments would ensure that overlooking to a detrimental degree would not occur as a result of the development. The impact on the adjoining properties would be further reduced by the limited ridge heights of units 1 and 3 which will ensure the dwellings would not be overly dominant.

All three proposed dwellings are two storeys in height and would have windows located to the front elevation looking onto CrossWay. It is considered that the siting of the dwellings, along with the significant distance to the properties adjacent would not result in any overlooking. Furthermore both neighbouring properties Blakeney House and Smoke Acre benefit from first floor windows facing onto the front gardens and Crossway and as such is a feature along with part of Crossway.

Landscape

Whilst the proposal would result in the break in an existing hedgerow to the front of the property to create two additional driveways the bulk of the hedge would be retained and as such would reflect the character of the area.

Highways/Parking

A number of concerns have been raised over the increase in traffic as a result of the proposed development. Whilst the proposal would result in the addition of 2 dwellings on site a previous permission for a single additional dwelling has been granted and as such the overall increase would be one dwelling. Sufficient on site parking and turning has been provided and it is not considered that an additional dwelling would result in a significant increase in traffic flow and vehicular movements. Furthermore, No objections have been raised by the Highways Engineer and as such the proposal is considered to be acceptable in terms of Highway safety.

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Planning Obligations/Agreements

In seeking the financial contributions for Affordable Housing Contribution, 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.

Recommendation

Application Permitted subject to a S106 agreement in respect of affordable housing contribution and the following condition(s):

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

Conditions

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

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

02 No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear.

02 Reason: To make proper provision for off street parking.

03 Development shall not commence until a drainage strategy detailing the proposed means of foul and surface water disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

03 Reason: In the interest of foul and surface water disposal

04 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

04 Reason: In the interests of visual amenity and the character and appearance of the area.

05 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The development shall be in accordance with the details agreed.

05 Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

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06 No development shall commence before details relating to the sustainability of the building, including information regarding how the new dwelling will achieve the standard (as defined by the ENE1 and ENE2 in the Code for Sustainable Homes) and with a maximum standard of 110litres/day standard for water (in the form of a BRE water calculator). The dwelling shall not be completed other than in accordance with the approved details.

06 Reason: To promote sustainable building design.

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

07 Reason: To promote sustainable building design.

Informatives:

01. 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.

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:-

Winchester District Local Plan Review 2006: DP3, DP4, H3

Local Plan Part 1 - Joint Core Strategy: MTRA3, CP2, CP3, CP11, CP13

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM2,, DM14, DM15, DM16, DM17

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

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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. 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.

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

