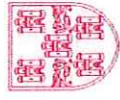
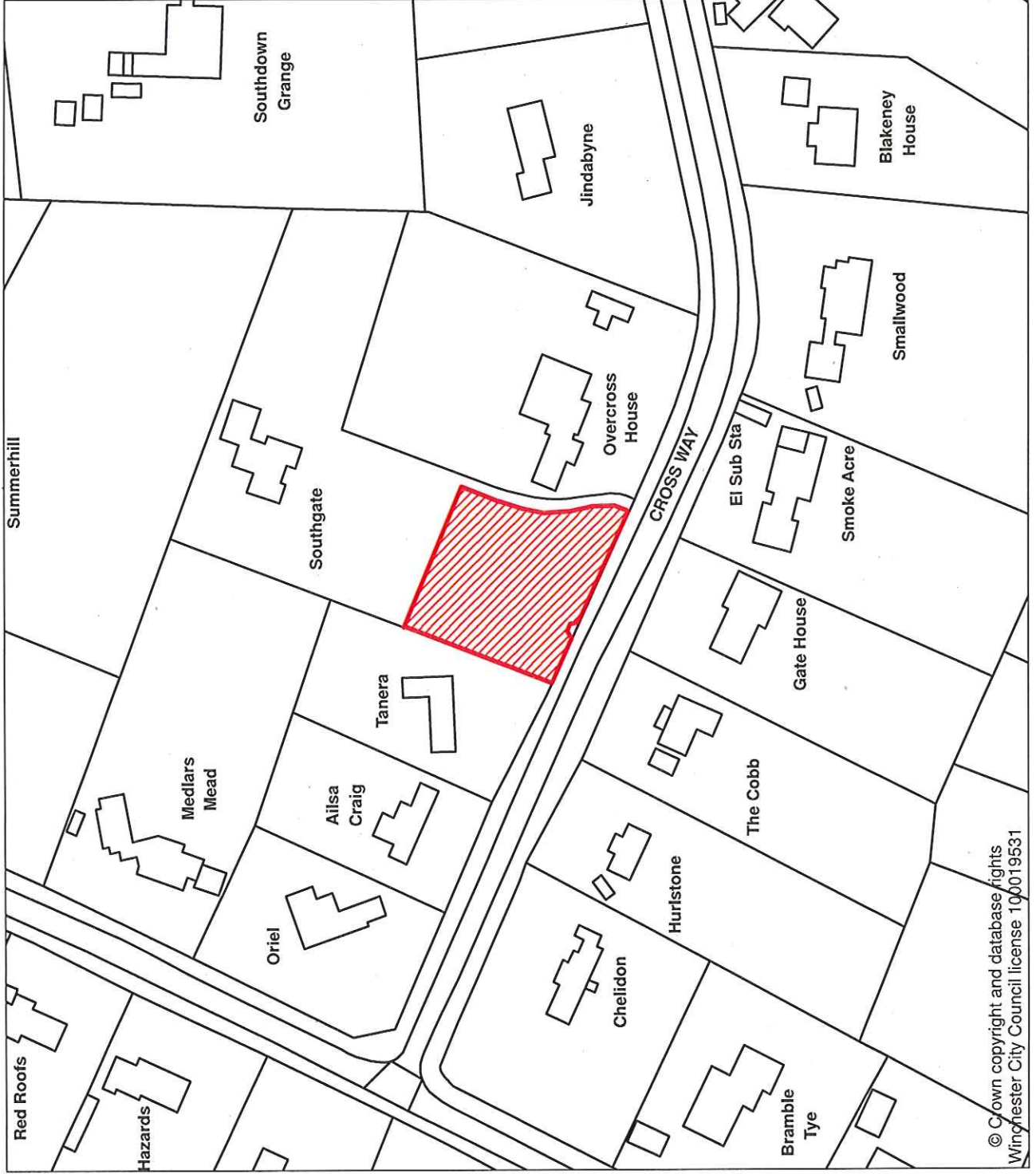


Southgate, Cross Way, Shawford, Winchester, SO21 2BZ

15/02176/FUL



Winchester
City Council



WINCHESTER CITY COUNCIL
PLANNING COMMITTEE AGENDA

Item No: 11
Case No: 15/02176/FUL / W05460/06
Proposal Description: (RESUBMISSION) Erection of new dwelling and detached garage with guest room above.
Address: Southgate Cross Way Shawford Winchester Hampshire
Parish, or Ward if within Winchester City: Compton And Shawford
Applicants Name: Mr Christopher Jackson
Case Officer: Ben Hatt
Date Valid: 1 October 2015
Recommendation: Application Permitted

General Comments

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

Site Description

The existing site is located within the settlement boundary of Southdown. This is a plot adjacent to Cross Way. The surrounding area is characterised by a wide variety of new and older detached dwellings of varying scales.

There are a number of trees on the site. There is a hedge running around the perimeter of the site with the road and higher trees to the north of the site along the road frontage.

Proposal

Permission is sought for the erection of a detached 4 No. bedroom dwelling with detached garage and guest room above.

Relevant Planning History

10/01507/FUL New detached house and double garage in the garden of Southgate
Permission granted 25.03.2011

15/00493/FUL Erection of 1no dwelling with detached double garage incorporating guest room. Withdrawn 20.05.2015

The following application is currently under consideration on a site close to the application site. It has been recommended for approval and is also to be considered by Members at the 30th June Development Management Committee meeting - 15/01925/FUL Demolition of existing dwelling and erection of 3 no. five-bedroom dwellings with associated access, garages, parking and landscaping (Amended Plans-10.12.15).

Consultations

Engineers: Drainage: No objections

Engineers: Highways: No objections

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Environment Agency: No objections

Southern Water: No objections

Representations:

Parish Council – No representation received

16 letters received objecting to the application for the following reasons:

- Out of keeping with the surrounding area
- Overly dominant
- Overlooking
- Overdevelopment
- Highway Safety

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

- DP.3 General Design Criteria
- H.3 Development in the Built-Up Areas
- T.2 Development Access
- T.4 Parking Standards

Winchester Local Plan Part 1 – Joint Core Strategy

- DS1 Development Strategy and Principles
- MTRA3 Other Settlements in the Market Towns and Rural Areas
- CP1 Housing Provision
- 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

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- CP14 The Effective Use of Land
- CP20 Heritage and Landscape Character

Winchester Local Plan Part 2 – Development Management and Site Allocations

- DM1 Location of New Development
- DM15 Site Design Criteria
- DM16 Site Development Principles

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance:

- High Quality Places

Planning Considerations

Principle of development

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.

On Wednesday 11th May 2016, the Court of Appeal allowed the Secretary of State's appeal, against the High Courts decision, in July 2015, to quash the government's guidance with regard to offering support for small scale developers. This support introduced a threshold beneath which affordable housing contributions or tariff-style contributions should not be sought, the threshold being developments of ten units or less in urban areas, 5 or more in defined rural areas, including National Parks and which have a maximum combined floor space of no more than 1,000 square metres. Following the Court of Appeal's decision, the Government updated paragraph 031 of the National Planning Practice Guidance on Thursday 19th May and is therefore relevant to the consideration of current planning applications. Given this change in government guidance, and that this proposal does not breach this threshold, a financial contribution towards Affordable Housing therefore is not required in this case so that no conflict with Policy CP3 of the LPP1 would occur.

Design/layout

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.

The proposed dwelling would be sited to the south of the site and would be sited in line with existing properties along Cross Way. A number of concerns have been raised by third party representations regarding the orientation of the proposed dwelling which would be out of keeping with the character of the area. Whilst it is accepted that the orientation of the proposed dwelling would be different to Over Cross House it is not considered to be out of keeping with the character of the area within which a variety of layouts and orientations exist. In addition to this the siting of the proposed dwelling would also be in keeping with the character of the area which sees large sized dwellings with enclosed front and rear gardens.

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Impact on character of area and neighbouring property

The proposed dwelling and double garage would be of a similar scale to other dwellings within the immediately surrounding area and as such would not introduce a feature out of place or of an overly dominant scale. In addition to this the proposed dwelling is of a simple design that would be in keeping with the local vernacular which itself is made up of a variety of design and differing scales of properties.

The property would also be set back from the front of the site and would be partially screened from view by existing boundary treatments that would ensure the visual impact is limited.

Landscape/Trees

The proposal includes a new access off Cross Way through proposed entrance gates. Whilst it is accepted that the entrance and gates would result in a break in the hedgerow to the front of the site the break would be limited and would not result in the loss of the hedgerow in its entirety and as such would retain the character of the area.

Highways/Parking

Concerns have been raised over highway safety as a result of the increased traffic which would serve the dwelling. Whilst these concerns are noted, the increase in vehicular traffic serving the proposed dwelling would be limited and therefore would not be significant enough to warrant refusal. In addition to this concerns have been raised over highway safety during construction phase. Whilst this is outside the remit of the planning application an informative has been recommended which advises on the situation.

Sustainability

There is a policy requirement for the new dwellings to at least achieve Code for Sustainable Homes level 4 for water efficiency and level 5 for energy. However, the Government has effectively abolished the Code for Sustainable Homes. Government advice now sets maximum standards equivalent to Code Level 4 for energy and water. Therefore, Local Plan policy CP11 will be applied in compliance with the maximum standards set out in the Government advice. It is therefore noted that the applicants are proposing that the development meets the equivalent of CfSH level 4, which is consistent with the Government's maximum standard.

Recommendation

Application Permitted subject to the following condition(s):

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).

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02 The proposed access and drive, shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

02 Reason: To ensure satisfactory means of access.

03 Before the development hereby approved is first brought into use, visibility splays of 2.4 metres by 25 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles at all times.

03 Reason: In the interests of highway safety.

04 No development shall commence on site until details of the external facing materials and roof tiles to be used on the development 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 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:

- means of enclosure including the proposed gates and piers;
- hardsurfacing materials (which should be in a permeable material where possible);

Soft landscape details shall include the following as relevant:

- planting plans;
- written specification (including cultivation and other operations associated with plant and grass establishment:
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate:
- implementation programme.

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

6 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

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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.

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

7 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. The works hereby permitted shall be carried out in accordance with the approved details.

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

8 Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design 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 be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

9 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 be occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

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.

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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, H.3, T.2, T.4

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA3, CP2, CP3, CP11, CP13, CP14, CP20

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

04. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

05. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

06. 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.

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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>

