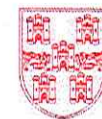


Fell Cottage, Mead Road, Winchester, SO23 9RF.

16/01384/FUL



Winchester
City Council



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Legend

Scale: 0 0.0125 0.025 0.05 KM

Organisation	Winchester City Council
Department	Winchester GIS
Comments	1:1250
Date	25/10/2016
PSMA Number	100019531

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Item No: 08
Case No: 16/01384/FUL
Proposal Description: (Amended Plans and description) Erection of 2no. 3 bedroom houses with associated parking, utilising existing vehicle access.
Address: Fell Cottage Mead Road Winchester SO23 9RF
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Mr Peter Mullins
Case Officer: Lewis Oliver
Date Valid: 20 June 2016
Site Factors: Civil Aviation
Recommendation: Application Permitted

General Comments

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

This application has been amended during the course of the application. These amendments have reduced the number of dwellings by two. This has resulted in the size, scale being reduced and the layout of the proposal has been revised. The development now comprises two detached 3 bedroom dwellings. In addition the design of the building has been amended with a contemporary approach taken.

Site Description

The site is approximately 0.043 hectares and currently contains a single-storey detached cottage and single garage. The dwelling was formally an attached annex to the neighbouring building of St Nicholas, however the site was subdivided and the building being detached from the main building.

The site has one vehicular access which lies to the north of the site and is shared with Fell House. A block of single storey garages on the North-Eastern boundary provides parking for the application site and Fell House. As well as the garage within the site there is also a gravel area that provides parking for 2 cars. There is a group of mature trees to the north of the access which are covered by a group Tree Preservation Order.

The site slopes generally slopes from the North- Western to the South-Eastern edge, with there being a change of height of approximately 1.2m between the two areas. The boundaries to the site consist of 1.2m high hedge on the western boundary, and 1.8 metre high closed boarded fencing on the eastern boundary.

To the south west of the site lies St Nicholas, which is a large detached dwelling that has been converted into flats. To the north east lies Fell House, this is a group of four dwellings. To the west lies the main Weymouth – London Railway line, with a pedestrian footbridge to the south west of the site, which allows access to the Badger Farm Estate.

The site lies in a transition zone, as to the north is Whiteshute Lane, is a narrow, verdant

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lane, which has a row of larger detached dwellings on its eastside, on the western side are smaller plots, where there has been a number of replacement dwellings, a number of which have a contemporary design approach. To the south east lies Mead Road, which is defined by large dwellings set in spacious plots, with a number having a number of recent extensions.

Proposal

The proposal is for two detached dwellings that have been angled to shield the properties from the adjacent railway and address the private gardens to the rear. A single primary pedestrian access route has been created, running parallel to Whiteshute Lane, with the angled front facade allowing the creation of gardens to the front of the properties. A parking area has been created at the North end of the site, while the existing garage has been converted to serve as a bin and bike store.

The proposed buildings are simple in form and draw cues from both the existing property at Fell Cottage and the neighbouring St Nicholas, whilst responding to the adjacent railway line. The houses have been designed to create the visual impression of one full storey with habitable roof space above. The proposed materials are white multi brick at ground floor with minimal openings on the street elevation, brown zinc cladding has been used at high level to allow the first floor to be read as a roofing element, being a contemporary interpretation and blending in colour with the clay roof tiles on the neighbouring St Nicholas.

Relevant Planning History

None

Consultations

Engineers: Drainage: No Objection subject to condition

Engineers: Highways: No Objection subject to conditions

Head of Environmental Protection: No Objection subject to conditions

Ecology: No Objection

Southern Water: No Objection subject to informative.

Representations:

City of Winchester Trust: On the original submission:

Objects: On the grounds of overdevelopment and impact on the highway network

On the revised proposal:

Pleased to note the radical changes implemented in this revised scheme following objections to the original proposal. The reduction in density resulting from fewer and smaller buildings has the benefit of improving their configuration within the site and how they now relates to the older, larger house behind. This is a much improved proposal and, though their design contrasts quite markedly with older buildings in the

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neighbourhood, it was felt to be acceptable.

19 letters received to the original submission objecting to the application for the following reasons:

- Out of keeping and overdevelopment of the area
- The proposed design is out of character with the street scene and wider area
- Adverse impact on the safety and free flow of the highway network, Whiteshute Lane is used as a rat run and this would make the situation much worse
- Adverse impact on the amenities of neighbouring properties

No letters have been received following the notification of contributors to the amended plans. Any letters of representation received will be outlined in the update paper.

6 letters of support received on the Original submission.

- The development would be in keeping with the character and appearance of the area

Relevant Planning Policy:

The development plan in this case comprises the Winchester District Local Plan Part 1 – Joint Core Strategy (LPP1), the saved policies of the Winchester District Local Plan 2006 Review (WDLPR), the emerging Winchester District Local Plan Part 2 – Development Management and Site Allocations (LPP2) which has now been through its examination in public.

Winchester District Local Plan Review
DP3, DP4, H3 and T2

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA1, CP2, CP3, CP11, CP13, CP14, CP16, CP21

Winchester Local Plan Part 2: Development Management and Site Allocations
DM1, DM2, DM14, DM15, DM16, DM17, DM23

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance
High Quality Places

Planning Considerations

Principle of development

The site is located within the built up area of Winchester, where the principle of development for housing is considered acceptable subject to an assessment of usual development management criteria contained in the suite of development plan documents. This is considered further below.

Policy CP2 of the Local Plan Part 1 considers housing mix and introduces a more flexible approach to it moving away from the previous Local Plan requirement for 50% of the dwellings to be 1 or 2 bed. The policy requires that there should be a majority of 2 and 3

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bedroom dwellings, unless local circumstances indicate an alternative approach should be taken. However, it is acknowledged that given that this scheme is for two dwellings, it is difficult for the required mix to be complied with. As such it is considered appropriate to have a 2 x three bed unit scheme, furthermore the immediate and surrounding area is defined by larger dwellings, therefore the housing mix would not be out of keeping with the area.

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. Conditions 11 and 12 have been recommended to ensure that these standards are met.

Impact on the character of the area

The site is situated in a visually prominent location within the landscape, on the corner of Whiteshute Lane and Mead Road. The site can also be seen from the pedestrian rail footbridge to the south west of the site, which allows some aerial view. There are principally two types of views of the development from the surrounding area. Firstly immediately in front of the site, with the road wrapping around the site, into Mead Road, which slopes down towards the east. The second view is from the pedestrian footbridge, which allows an elevated view of the site. This application has been amended as outlined in the general comments section, which has resulted in a significant reduction in terms of the scale, bulk and proposed numbers of units. Given the size, scale and location of the proposal, it is recognised that the planning merits of the case are finely balanced, and that the planning issues need to be carefully considered in reaching a recommendation on this proposal.

The density of the scheme is 40 dwellings per hectare which is quite high in this context. However, it is considered that this is representative of the site being used efficiently, with a well-designed compact scheme for townhouses rather than a symptom of an overdeveloped site. This accords with the aims of policy CP14 which requires the effective use of land, and supports higher density development on sites that have good access to facilities and public transport, and particularly within the urban areas. While the units will have smaller gardens, which contrasts with the very generous garden areas of some of the surrounding properties, the amenity space is considered to be an appropriate response, sufficient for these dwellings and also creating a contextual setting for them.

The proposed development would front Whiteshute Lane. The prevalent pattern of development along the road is mixed, with some late 19th century, with some post war development and some recent generous replacement residential properties. These are located to the north of the application site. The heights vary between single to three storey structures, for which there is a mixture of architectural styles.

Approaching the site along Whiteshute Lane, the development would largely be screened by the mature tree belt on both sides of the road. The site starts to become visible when approaching the shared access with Fell House, when the existing single storey dwelling

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and the imposing neighbouring building of St Nicholas are visible. At this point the development is at a lower level and would appear to be sunk into the ground, which helps to minimise the appearance of the building. This would also allow the roof, side and rear elevations of St Nicholas to remain visible.

In direct views from the road frontage of the site in Whiteshute Lane, the development would be visible and the dwellings at this point are angled and would retain the pattern of development in the area defined by large dwellings with gaps between buildings. This therefore allows the development to follow the spatial characteristics of the area. In addition the existing hedging at the front of the site would be retained, and supplemented with planting around the site, all of which would help soften the impact of the development on the character and appearance of the area from these view points. Furthermore the development would be seen in the context of the neighbouring properties and would have lower roof heights.

When the site is viewed from the pedestrian footbridge, the development would be read in the context of St Nicholas and Fell House, which is a 1960/70's two storey terrace of dwellings. It is considered that the proposed reduced ridge line, simple roof design, would provide a development that would contrast, but add visual interest from this viewpoint. It is considered that the simplicity of the building and how it steps down to reflect the local topography, in combination its size, scale and massing, would result in a development that is considered not to adversely impact on the character and appearance of the area.

Design/layout

The design of the buildings has been developed through discussions, following concerns raised by officers regarding the original submission. The revised general approach to the design of the building is to enable it to fit in with the surrounding topography and create the visual impression of one full storey with habitable roof space above. To achieve this, white multi brick has been proposed at ground floor with minimal openings on the street elevation. This will create a clean facade that would not compete with St Nicholas, whilst also minimising noise intrusion from the railway. Brown zinc cladding is proposed to be used at high level to allow the first floor to be read as a roofing element, being a contemporary interpretation and blending in colour with the clay roof tiles on the neighbouring St Nicholas. To the rear, large areas of glazing create a strong link between the primary living spaces and the gardens.

It is considered that the design and layout of the proposed development would respect its location through its simplicity and use of materials. It is considered that the development would change the immediate character of the area because of the contrasting contemporary approach. However this very localised impact is not considered to adversely affect the wider character of the area or street scene to any significant level. The proposal is an innovative, high quality design in a sustainable location, which weighs in favour of this application to accord with policy CP13, which amongst other things, requires proposals to create an individual place with a distinctive character.

Impact on residential amenity

The original submission has been amended following concerns raised by officers with regard to the original proposal, having a significant adverse impact in terms of overlooking and overbearing impact on the amenities of the occupiers of St Nicholas. As has been highlighted the revised proposal has reduced the numbers of units and reduced the size,

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scale and massing of the proposal. This revised layout has reduced the amount of built form away from the boundary with the side boundary of St Nicholas, which has the garden areas beyond. It is considered that the revised proposal by virtue of its distances from the boundary in combination with its scale and layout would not have a significant adverse impact on the amenities of neighbouring properties with regard to loss of sunlight/daylight or overbearing impact.

The application proposes windows at first floor level on the southern elevation of plot 1 and the northern elevation of plot 2. The majority of these windows serve secondary rooms such as hallways, stairwells or en-suite, these windows are proposed to be obscure glazed, which can be controlled through condition 15. One window at first floor on plot 1 would serve a bedroom. Following advice from officers that this issue must be addressed, the agent has proposed a solution which comprises a canted zinc cheek, which is to obscure direct views towards the rear elevation of St Nicholas, and this is covered by conditions 15 and 16. It is therefore considered that the development would not have a significant adverse overlooking impact on neighbours to justify a refusal on this matter.

Highways/Parking

A Transport Statement dated March 2016 has been submitted in support of the application and this examines the existing highway network; provides details of Public Transport; and the anticipated Traffic Impact. As part of the Transport Assessment evidence regarding the anticipated Trip rates has been submitted using the nationally recognised TRICS database and a survey was commissioned during the week 10th November 2015 to 17th November 2015 to give an indication of Traffic volumes and vehicle speeds using Whiteshute Lane.

It is proposed to use the existing vehicle entrance onto the southern most section of Whiteshute Lane, which currently serves the existing dwelling to be demolished and no's 1 to 4 Fell House. Motorists have the option of using the narrow single carriageway lane known as Whiteshute Lane to the north or the much wider (7.3 metres) Mead Road to the south, which is considered the more preferable route to and from the application site.

It is clear from the information collected that Whiteshute Lane does not experience high levels of traffic flows through it and can accommodate the modest increase in traffic generated resulting from the proposed development. Information provided from Hampshire County Council confirms there have been no Injury Related accidents recorded in Whiteshute Lane or Mead Road during the previous five years period. As such it is considered that subject to conditions 6-8, that the development would not have a significant adverse impact on the safety or free flow of the highway network to justify a reason for refusal on this matter.

Affordable housing

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

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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.

Drainage

The applicant has submitted some further information following a request from the Drainage Engineer, this relates to the provision of soakaways on the site. The Drainage Engineer has raised no objection to the application, subject to condition 17, which requires full details of the connection to the foul sewer.

With regard to other drainage matters, Southern Water have raised no objection to the development, it is therefore considered that the site can be suitably drained.

The proposal is therefore recommended for approval.

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).

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

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

03 The development hereby permitted shall be carried out in accordance with the following plans:

1602_P02_A
1602_P03_D
1602_P04_C
1602_P05_C
1602_P06_C
1602_P07_C
1602_P09_A
1602_P10_A

03 Reason: In the interests of proper planning and to ensure that the development is built in accordance with the amended plans.

04 The landscaping and associated implementation and maintenance shall be carried out in accordance with the following approved plan:

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MPN MRW Rev A

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

05 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

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

06 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 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 cleared sufficiently to prevent mud being carried onto the highway.

06 Reason: In the interests of highway safety.

07 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.

07 Reason: In the interests of highway safety.

08 The parking area shall be provided in accordance with the approved plans before the first dwelling is 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 houses as residences.

08 Reason: To ensure the permanent availability of parking for the properties.

09 Prior to any work commencing on site, details of a scheme for protecting the proposed dwelling from external noise shall be submitted, and approved in writing by the Local Planning Authority. Such a scheme shall ensure that, upon completion of the development, the following noise criteria (as recommended in BS8233:2014) shall be met:

- i. all bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A)
- ii. all living rooms and bedrooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A)
- iii. all private amenity spaces shall achieve a 16-hour LAeq (07:00 to 23:00) of 55dB(A)

09 Reason: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded.

10 A noise validation report, demonstrating compliance with these noise criteria, shall be submitted to and approved by the Local Planning Authority before any dwelling is

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occupied. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

10 Reason: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded.

11 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.

11 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.

12 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.

12 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.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C and E, of Schedule 2, Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

13 Reason: Any works to the scheme need to be carefully controlled given the proximity to the immediate neighbouring properties and the sensitivity of the site.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that order, with or without modification), no windows at first floor, other than those expressly authorised by this permission shall, at any time, be constructed in the development hereby permitted.

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

15 The windows of the development hereby permitted at the first floor level on the southern elevation of plot 1 (except the window annotated on plan 1602_P07_C) and first floor of the northern elevation of plot 2 shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, and the glazing shall thereafter be retained in this condition at all times.

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

16 The canted zinc cheek at first floor on the south-west elevation, as outlined on plan 1608_P07_C, shall be retained at all times.

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

17 No development shall commence until details of the proposed means of foul and sewerage disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

17 Reason: To ensure that the site is suitable drained given its proximity to the public sewer.

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.

In this instance the applicant was updated of any issues during the course of the application and amended plans have been received.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, CP2, CP3, CP11, CP13, CP14, CP16, CP21

Winchester District Local Plan Review 2006: DP3, DP4, H3, T2, T4

Winchester Local Plan Part 2: Development Management and Site Allocations DM1, DM2, DM4, DM5, DM14, DM15, DM16, DM17, DM23

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.

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.

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House,

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Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

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>

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.