

### Legend



Organisation	Winchester City Council
Department	Winchester GIS
Comments	1:1250
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**WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE AGENDA**

**Item No:** 06  
**Case No:** 16/01736/FUL  
**Proposal Description:** (RESUBMISSION) Refurbishment of 4 existing flats together with single storey rear extension providing a new residential dwelling and single storey front extensions and parking.  
**Address:** Old Saddlers Stockbridge Road Sutton Scotney Hampshire  
**Parish, or Ward if within Winchester City:** Wonston  
**Applicants Name:** Carbury Investments Ltd  
**Case Officer:** Mr Stuart Corbey  
**Date Valid:** 7 September 2016  
**Site Factors:** Sutton Scotney Conservation Area:  
  
**Recommendation:** To Grant Planning Permission

**General Comments**

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

**Site Description**

Old Saddlers Flats is an unlisted building located within the Sutton Scotney Conservation Area. It is a mid to late 20th century building, most probably constructed in the late 1960s or 1970s. It is built in dark red brick under a concrete tile roof with modern UPVC windows and has no architectural or historic interest. At the rear of the flats is a large area of garden/ open space. To the west of the site is another block of flats and to the east a row of two storey cottages.

The existing building detracts from the overall character of the Conservation Area as it is in an unattractive utilitarian style at odds with the majority of the historic buildings within the village. Of the two main streets within the Sutton Scotney Conservation Area, Stockbridge Road has retained more of its character and contains buildings of different ages. Old Saddlers is set back from the road with a parking area to the front and sits significantly higher than the street. There are a number of listed buildings in the immediate vicinity of the site.

The site survey and satellite imagery indicates extensive tree and shrub planting within the garden area to the rear and the north of the flats.

**Proposal**

Construct a single storey wing at the rear of the existing flats and single storey ground floor extension to the front of the flats. To replace the existing concrete tiled roof with plain clay tiles. Render the external walls and replace UPVC windows with new timber ones. Create two allocated parking spaces within a designated parking area abutting the road.

The proposed new single storey wing which will provide an additional 2 bedroom unit will be linked to the main building by a covered staircase link. The new wing will have



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windows in habitable rooms opening out northwards over the open garden area, to the west and east and to the south and back towards the main building.

### **Relevant Planning History**

15/02933/FUL - Refurbishment of 4 no. existing flats together with 2 no. storey rear extension and parking – Withdrawn

### **Consultations**

#### Engineers: Drainage:

There is no public foul water sewer serving the site. The applicant is recommended to consult Environmental Agency regarding the use of the septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the premises will need to maintain the septic tank to ensure its long term effectiveness.

Should the applicant wish to make a connection to the public foul sewerage system then a formal application to do so will be required. Southern Water recommend a condition should the application be approved.

#### Engineers: Highways:

The land facing the highway has been included within the red line and appropriate notice has been served with a Certificate D. The site plan identifies two car spaces allocated to serve the new two bedroomed units as proposed. This number of spaces is considered adequate for the size of unit.

The Highways officer states if the owner has no legal right to park on this section of unregistered land, then nor does any other third party.

We can therefore condition that the land is to be used for parking in perpetuity, and then it would be a civil matter between the applicant and any third party who has rights (or not) to park on the land.

#### Southern Water:

The developer services division of Southern water raises no formal objection, however, attached an informative should the application receive planning approval.

### **Representations:**

8 letters received objecting to the application, 6 letters representing qualified households for the following reasons:

- There is inaccuracies in the application ; The site plan shows the area in front of the flats as within the red line. This land is not in the applicants ownership, in addition no evidence that the frontage parking "is in use in perpetuity as a car park"
- Highways response is inconsistent with that provided for the original planning application 15/02933/FUL.
- Access to the proposed parking cannot be guaranteed
- Applicant appears to be building on land not in their control (by covenant)



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- Rear extension is of an incongruous design & position
- Highways safety for users of the road as a result of more vehicle trips generated
- Overlooking to occupiers of 2 Wickham Cottages by virtue of the side windows to the new extension
- Loss of light to the garden of the occupier at 2 Meadowbank Cottages – as new extension proposed at two storey.

One Objection was received by Cllr Porter based on the following:

- The parking arrangements are not satisfactory and do not conform with the Winchester City Council Parking Standards.
- The spaces at present are not exclusively used by the flats
- The developer must take responsibility to provide parking other than
- The parking shown in these spaces. Just two additional spaces is unsatisfactory

**Relevant Planning Policy:**

Winchester District Local Plan Review 2006

H3 – Development in the built up areas  
CE23 – Extension and Replacement of Dwellings  
HE4 – Conservation Area – Landscape Setting  
HE5 – Conservation Area – Development Criteria  
DP3 – Design  
DP4 – Townscape & landscape  
DP5 – Design of Amenity Open Space  
T4 – Parking Standards

Winchester Local Plan Part 1 – Joint Core Strategy

MTRA3 – Other settlements in the market towns and rural area  
CP2 – Housing provision and mix  
CP11 – Sustainable Low & Zero Carbon Built Development  
CP13 – High quality design  
CP14 – Effective use of land  
CP20 – Heritage and Landscape Character

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations:

DM1- Location of New Development  
DM2- Dwelling Sizes  
DM15 - Local Distinctiveness



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DM16 – Site Design Criteria

DM17- Site Development Principles

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Winchester City Council High Quality Spaces SPD (2015)

**Planning Considerations**

Principle of development

The application site is located within the settlement boundary of Sutton Scotney where there is a presumption in favour of residential development subject to an assessment of the proposal having regard to other development control criteria as set out below.

Policy CP3 requires development of any net increase in dwellings to attract a maximum financial contribution to affordable housing of 40%. However guidance in the NPPG (recently reinstated 19.05.2016 following a High Court ruling) supersedes this noting that there are specific circumstances where contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.

In this circumstance contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.

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. As such given that this application proposes to meet these targets, this development is considered acceptable and complies with the current policy position on CfSH. This proposed scheme has been designed to meet the amended requirements of policy CP11.

Impact on the character of the area

Following an early engagement with a proposal at a pre application stage and a full consultation with the Council's Conservation specialist the proposal is considered to be



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acceptable. The Sutton Scotney Conservation Area has already been compromised when the flats were built. Consequently, the principle of the extension should be acceptable as the plots in this part of the village no longer follow the same pattern as the more traditional plots with the buildings facing onto the road.

With regard to the design, this is certainly an improvement on the character of the current building enhancing the appearance of the building within the Conservation Area. The extension's design has been enhanced following earlier recommendations by the Council to the developer and these changes are considered to ensure the scheme would satisfy policy HE5 which requires that in terms of extensions "the character, scale and plan form of the original building are respected and the extension is subordinate to it".

The cumulative impact of the extensions, the replacement of the existing concrete tiled roof with plain clay tiles, the replacement of the existing UPVC windows with new timber ones and the rendering of the external walls are all works considered acceptable.

### Impact on the neighbouring amenity

The occupiers at 2 Meadowbank Cottages object to the rear two storey element as the proposal would cause a loss of light to their back garden. The proposed rear addition is single storey and not two storey (as originally submitted 15/02933/FUL- withdrawn). It sits some 6m away from the shared boundary (close boarded fence and shrub screening) the officers do not consider the addition would cause a significant impact.

In addition the occupiers at 2 Wickham Cottages feel by virtue of the side windows the new extension would overlook. The windows appear to be serving the kitchen to the new unit which by virtue of the tree screening along the shared boundary with Wickham cottages would provide adequate screening not to impact on their amenity.

Subject to condition the retention of boundary planting and trees, even if not protected by TPOs, can help assimilate development and ensure it does not adversely impact upon the amenities of neighbouring properties.

### Highways/Parking

The neighbouring occupiers and area Councillor raise concerns that the proposed parking arrangement would hinder highways safety along Stockbridge Road and that insufficient space is available to provide the car parking layout as proposed.

The applicant has provided a plan to show two parking spaces to serve the new development. The applicant has also provided a plan with the site and area for parking in the red line and has served the appropriate notice – a certificate D to the land owners the application was then readvertised. The officers considered although the applicant may not have ownership of the land, however, neither do the existing users of the parking area.



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What the applicant does show is allowing the area to be allocated to serve as spaces for the new development.

In terms of Highways Engineer comments this appears acceptable as the spaces allocated can be conditioned to be used 'in perpetuity'. The remaining spaces may remain as in existing use to serve the current mix of users at certain times of the day. However, this is a civil matter and not a planning concern on the basis that no highway safety concern has been raised. The arrangement is considered as acceptable subject to condition.

**Recommendation**

To Grant Permission subject to the following condition(s):

**Conditions**

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 Before development commences samples of all the external materials of the buildings and external hard landscaping surfaces shall be submitted to and approved in writing by the local planning authority.

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

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

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

4 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 the dwelling shall 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.

4 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.

6 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



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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.

6 Reason: In the interests of highway safety.

7 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.

7 Reason: In the interests of highway safety.

8 The parking area shall be provided in accordance with the approved plans and thereafter permanently retained into perpetuity and used only for the purpose of accommodating private motor vehicles incidental to the use of the dwelling house as residences.

8 Reason: To ensure satisfactory means of access

9 Detailed proposals for the disposal of foul and surface water, notably liaison and permissions from SW including a capacity check, and details of the surface water soakaways to building regulations standards, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before building works commence.

9 Reason: To ensure satisfactory provision of foul and surface water drainage.

10 The development shall be carried out in accordance with the following approved plans  
00 0321/P/1B;2B;3B;4B;5B, Design & Access Statement, Site Survey 0321/SS,  
BLDG as EXTG 0321/E

10 Reason: For the avoidance of doubt and in the interests of proper planning.

**Informatives:**

1. In accordance with paragraphs 186 and 187 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

-offer a pre-application advice service and,

-update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

In this instance a site meeting was carried out with the agent.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-  
Winchester District Local Plan Review 2006: H3, CE23, HE4, HE5, DP3, DP4, DP5, T4



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Local Plan Part 1 - Joint Core Strategy: MTRA1, CP2, CP11, CP13, CP14, CP20  
Local Plan Part 2 - Development Management and Site Allocations: DM1, DM2,  
DM15, DM16, DM17

3. This permission is granted for the following reasons:  
The development is in accordance with the Policies and Proposals of the Development Plan set out above, 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.
4. 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.
5. 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.
6. Sewerage connection. A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW tel 0330 303 0119 or [www.southernwater.co.uk](http://www.southernwater.co.uk)