

Item No: 03
Case No: 17/02784/FUL
Proposal Description: Construction of 2 dwellings with associated access from Petersfield Road.
Address: 24 Quarry Road Winchester Hampshire SO23 0JG
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Andrew Uwins
Case Officer: Rose Lister
Date Valid: 1 November 2017
Site Factors:

Article 4 Direction
Civil Aviation
CIL Zones for Winchester City Council
Southern Water Operational Area
Application Permitted

Recommendation:



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General Comments

Application is reported to Committee due to the number of objections received.

This application is an adjustment of the proposal granted under application 14/01162/FUL. The previous application was for 3 new dwellings with associated parking and access from Petersfield Road where a large amount of the hill side was cut out. The current application is for 2 dwellings with associated parking and access from Petersfield Road. This application shows the design has changed to reduce the amount of excavation, therefore the scheme is forward of the previous scheme by approximately 3.5 meters.

Due to this, this application has also submitted amended plans with obscure glazed windows on the side elevations and replaced the glazed balcony with obscure glazing to the side elevations to prevent overlooking to the neighbouring properties at Mallory House and the 3 dwellings in construction on the site of 22 Quarry Road.

Site Description

The site lies within the St Giles Hill area of Winchester, approximately 1km west of the centre and within the defined settlement policy boundary. The site comprises part of the rear garden of No 24 Quarry Road and is approximately 0.06 ha in size. The site slopes steeply down from the north to the south towards Petersfield Road and is currently covered by grass and shrubs, with two mature trees along the Petersfield Road frontage. There is a close boarded fence running through the site on the southern side.

The immediate surrounding area is characterised by mature trees and dwellings set within well landscaped plots. Dwellings on the northern side of Petersfield Road are set back from the road frontage and benefit from wide views to the south by virtue of the changing land levels. The land continues to rise to the north towards Quarry Road, which forms the boundary of the Winchester Conservation Area and then beyond to St Giles Hill. To the east of the site there is a row of detached dwellings of varying heights and designs fronting Petersfield Road and to the west of the site is the building site at No 22 Quarry Road.

Proposal

The proposal is for 2 semi detached dwellings fronting onto Petersfield Road, which are set back from the site boundaries.

Relevant Planning History

14/01162/FUL - Construction of 3 no three bedroom dwellings with associated access – permitted.

Consultations

Engineers: Drainage: No objection subject to condition 3

Engineers: Highways: No objection subject to conditions 4, 5, 7, 8, 10 and informative 7

Landscape: No objections subject to condition 6

Landscape Trees: No objections subject to condition 1

Historic Environment : No objections.

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Ecologist: No Objection subject to condition 11

Southern Water: No Objections subject to informative 9

Representations:

City of Winchester Trust: This appears to be a more practical development for a tricky site than the scheme previously approved (14/01162/FUL). Although the Trust was content with the previous proposal, it can support both the reduction from 3 to 2 houses, and the reduction from 5 to 4 floors as being more appropriate for the site.

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

- Size/ height/ bulk
- Character of the area
- Design
- Over looking
- Conflict with the St Giles Hill Neighbourhood design statement
- Loss of light/ over shadowing
- Over bearing
- In front of the building line

Reasons aside not material to planning and therefore not addressed in this report

- Loss of view

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
DS1, WT1, CP1, CP2, CP11, CP13, CP16, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations
DM1, DM15, DM16, DM17, DM18, DM24.

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance
Winchester – St Giles Hill Village Design Statement

Planning Considerations

Principle of development

The development is situated in the settlement boundary of Winchester, where the principle of development is acceptable, provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

The previous approval 14/01162/FUL is a material consideration although is not a fall back position as it has recently expired and has not been implemented. Therefore the differences between the proposals are the most significant elements to assess and the .

The current application is for a reduced scheme of the previously permitted application 14/01162/FUL. The key differences are the reduction from 3 dwellings to 2 and that the design has changed to reduce the amount of excavation on site and therefore is forward of the previous scheme by approximately 3.5 meters. There are also changes to make the windows in the side elevations and the balustrades of the top floor balcony obscure glazed as well as general design changes. This previous scheme was permitted under an LPP1 and the now superseded Winchester District Local Plan Review. Therefore the application is assessed as a whole in light of the new policies in the adopted LPP2 (April 2017).

Policy CP2 of LPP1 requires new residential development to provide a mix of housing with the majority of homes in the form of 2 and 3 bed houses unless local circumstances indicate an alternative approach should be taken, including where there is an imbalance of housing types and sizes in particular parts of the District. The proposed development is for two 3 bedroom dwellings. As such in this case, such an approach is considered to accord with policy. An analysis has been undertaken of the supply of properties in the area. The surrounding area is characterised by medium to large dwellings with 3 to 5 bedrooms and therefore the proposal would be in keeping with the prevailing character of the area.

It is confirmed that the proposal is not required to make a contribution to off site affordable housing as a proposal under 1000sqm and under 10 units.

Design and Impact on character of area

The St Giles Hill Neighbourhood Design Statement has guidance on the bulk and density of development in the area. The surrounding area is characterised by medium and large dwellings with 3 to 5 bedrooms and therefore this proposal would be in keeping with the prevailing character of the area.

The application site is in the rear garden of No24. Quarry Road, in a prominent location. There are principally two types of views of the development from the surrounding area. Firstly immediately to the south of the site from Petersfield Road and then secondly from further to the south along Fivefields Road (including from parts of Nelson Road and St Leonards Road), which are at a lower level.

The proposed development is in a central location in the plot, approximately 5 meters forward of the proposed rear boundary with No.24 and is set in from the east and west boundaries by approximately 2.3 meters on either side. The form is stepped over 4 storeys to take account of the steep level changes on site. The 4th storey will raise approximately 5 meters from ground level, however due to the level changes the visible amount of the rear elevation will be approximately 1 meter above the boundary treatment to No24 Quarry Road. The proposals also include 4 parking spaces for the 2 dwellings, 2 of these will be within garages.

The proposed plans show amenity space on the 4th storey in the form of a decked balcony with obscure glazed balustrades and also to the rear and sides of the dwellings. Due to the steep gradient of the site the majority of the windows face the south (front) elevation there the amenity space is located rather than to the neighbouring properties. There are 4 strip

windows to each of the side elevations that will be obscure glazed. There are also a number of high level windows to the rear of the proposed dwellings that will serve the Kitchen space.

The proposed design and materials are contemporary proposing white render, timber cladding and dark aluminium for the doors and windows and with green roofs to limit the impact of the surrounding area and are compliant with the High Quality Places SPD. There is a mix of architecture in the area with a similar style in construction on the plot of No.22 while others in the area use brick, slate and tile with a range of storeys from 1-3 storeys contributing to this mix.

There is no strong building line along Petersfield Road with existing dwellings being set back from the road at various degrees. The proposed dwellings are set back from the road by approximately 12 meters.

There is a mixed character of boundary treatments along Petersfield Road including hedging, brick wall, open landscaped garden and closed boarded fencing that face the highway. The proposals present new boundary treatments comprising of flint walls, trees, hedges to the south (front) boundary and a mix of planting and closed board fencing to the east, west and north boundaries. There is currently a line of mature beech trees that line Petersfield Road. These are to be retained to maintain the green character of the area.

There is a proposed new access in the southern boundary of the proposals opening onto Petersfield road. The new opening is approximately 5.5 meters in width. This part of Petersfield Road has open frontages with a number of access points that tend to be larger as they serve more than one house.

It is considered that the simplicity of the building (particularly the roofline) and how it steps down to reflect the local topography, in combination with the proposed landscaping, comprising shrubs and groundcover planting along the side flank walls, would result in a development, that is considered not to adversely impact on the character and appearance of the area sufficiently to justify the refusal of the application on this issue.

It is therefore considered that the amendments to the approved application will not result in any additional detriment to the character of the area and the proposal accords with policies CP13, CP14, DM15, DM16, DM17, and DM18.

To ensure that the design and character of the area is not compromised condition 20 has been suggested to withdraw permitted development on the site.

The previous application was not considered to have an unacceptable impact the setting of the Conservation Area to the north (along Quarry Road) and it is considered that this proposal will have no materially different impact to the detrimental of the interests of the Conservation Area.

Impact on Neighbouring Amenities

The proposed development will be visible to neighbouring properties around the site due to its prominent location. Both the development and the neighbouring properties are orientated towards Petersfield Road as such it is considered that given the layout, size, scale and massing that the development would not have a significant adverse impact on

neighbouring amenity with regard to loss of sunlight/daylight or overbearing impact.

The proposal has a number of windows to the side elevations. Under the amended plans these and the glazed balustrade to the 4th storey have been adjusted to obscure glazed windows to limit overlooking. Also planting is proposed to mitigate the impact on the neighbouring properties.

Concerns have been raised by residents St Leonards Road that the proposal would result in overlooking. It is however considered that given the degree of separation of a minimum of 47 metres from the terraces to these properties, in combination with the mature trees on the front boundary and at Fivefields Road that the proposal would not result in a degree of overlooking which would warrant a reason for refusal.

Concerns have also been raised regarding loss of light to the amenity space of the neighbouring property at Mallory House. As such a daylight/sunlight report has been submitted. The results of this show that there will be no increase in the overshadowing of the neighbouring amenity space.

Landscape/Trees

A tree report and method statement has been submitted with the application, which demonstrates that the trees on the front boundary with Petersfield Road would be protected during construction and would not be threatened by the foundations of the development. Given the location of the terraces, it is considered that the trees can be accommodated without detriment to the longevity of these mature trees. The Trees Officer has no objection subject to condition 1

Highways/Parking

The proposal would provide a new access to the site, which is considered acceptable as it provides adequate visibility and manoeuvrability for this scale of development. The access would come out onto Petersfield Road, which has a 30mph speed limit. It is therefore considered that the limited increase in traffic would not have an adverse impact on highway or pedestrian safety to justify refusal. The Highway Engineer has no objection to the application subject to conditions 4, 5, and 10.

Ecology

The proposal is situated in a suburban area of Winchester however a biodiversity survey was conducted that showed evidence of a number of fauna in the wider area. It is considered that the trees and shrubs available on site are not suitable for bats and the survey found bats only within 2 miles of the site, not in the immediate area.

The survey found evidence of slow worms and common lizard on the site. The site offers a good habitat for reptiles. The submitted report makes recommendations for the relocation of the slowworms. The Ecologist had no objection subject to condition 11. An update will be given on this.

Sustainability

Since the determination of this application 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

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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.

Conclusion

The proposal is therefore considered to accord with the Development Plan and the following policies DS1, WT1, CP1, CP2, CP11, CP13, CP16, DM1, DM15, DM16, DM17, DM18, DM24 and the High Quality Places SPD.

Recommendation

Approve subject to the following condition(s):

Conditions

1. Protective measures, including fencing and ground protection, in accordance with the 'Arboricultural Impact Appraisal and Method Statement: Quarry Road, Winchester, Hampshire' written by K. Cloud and submitted to the Local Planning Authority must be installed prior to any demolition, construction or groundwork commencing on the site and retained during construction.

Reason: To ensure the protection and long term viability of retained trees, to minimise impact of construction activity and to safeguard the amenity value that the identified trees have within the surrounding area.

2. 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 equivalent of 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.

3. No development must take place until details and samples of the materials to be used in the construction of the external surfaces of the proposed dwellings 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.

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

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before occupation of the dwellings hereby permitted. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

5. No works are to take place until detailed proposals for the disposal of foul and surface water are submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before development can begin.

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

6. No works are to take place until details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway are 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 must leave the site unless its wheels have been cleared sufficiently to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

7. No works are to take place until details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development are submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures must be retained for the construction period.

Reason: In the interests of highway safety.

8. No development, or works of site preparation or clearance, must 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.

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

9. No development or works of site preparation or clearance must take place until a method statement giving details of the removal of any surplus soil excavated from the site as part of the development must be submitted to and approved in writing by the Local Planning Authority. The statement must specify the quantity of soil, its means of removal and where it will be taken to. The works must then be undertaken in accordance with the approved method statement.

Reason: In the interests of visual amenity and sustainability.

10. A detailed scheme for hard and soft works including landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the

first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

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

11. All groundwork taking place within the root protection area shall be undertaken under the strict supervision of Arboricultural supervisor - a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority. The Arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved Arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the Arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

12. Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

13. The development must be carried out in accordance with the measures, conclusions and recommendations set out within 'Land Rear of 24 Quarry Road, Winchester, Hampshire: Ecological Assessment' by S Boswell, 2017. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To provide adequate mitigation and enhancement for protected species.

14. Before the development hereby approved is first brought into use, visibility splays of 2.0 metres by 25 metres shall be provided at the junction of the access and public highway. The splays shall be kept free of obstacles over 600mm above the level of the carriageway at all times.

Reason: In the interests of highway safety.

15. 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 equivalent of 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.

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.

16. Prior to the completion of development a cut off drain shall be provided to prevent the egress of surface water onto the public highway.

Reason: In the interests of highway safety.

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

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

18. The parking areas shall be provided in accordance with the approved plans before each of the dwellings are 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 houses as residences.

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

19. The development hereby approved shall be constructed in accordance with the following plans: 1725_100, 1725_101, 1725_500, 1725_300, 1725_202_A, 1725_400_A, 1725_303_A, 1725_302_A, 1725_201_A, 1725_301_A, 1725_203_A, TSP-KC/Quarry/002, 2317-101

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

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

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

21. The windows and balustrade panels in the east and west elevations of the dwellings hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

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

22. No windows additional windows shall be constructed in the roof of the property hereby permitted, unless otherwise agreed in writing by the local planning authority.

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

Informatives:

1. 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.

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

Local Plan Part 1 Joint Core Strategy: DS1, WT1, CP1, CP2, CP11, CP13, CP16, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations
DM1, DM15, DM16, DM17, DM18, DM24.

3. 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>

4. 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.

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. 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.

7. NOTE – A licence is required from Hampshire Highways Winchester, Bishops Waltham Depot Botley Road, Bishops Waltham, SO32 1DR prior to commencement of access works.

8. All existing infrastructure, including protective coatings and cathodic protection should be protected during the course of construction works. No excavation mounding or tree planting should be carried out within 4 metres of the public water main without consent from Southern Water. For further advice, the applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk.

9. 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

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, 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. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

10. All bat species are protected under European Law within the E.C. Habitats Directive and under British law within the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981. The applicant is advised that should bats be present, works must stop and a Natural England European Protected Species licence may be required before recommencing.