

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 04
Address: 102 Downs Road, South Wonston Winchester Hampshire SO21 3EW
Parish/Ward South Wonston
Proposal Description: Detached two bedroom bungalow with parking area and new access
Applicants Name Spar Homes Ltd
Case No: 04/02617/FUL
W No: W02846/08
Case Officer: Lorna Hutchings
Date Valid: 4 October 2004
Delegated or Committee: Committee Decision
Reason for Committee: At the request of a councillor
Site Factors: None

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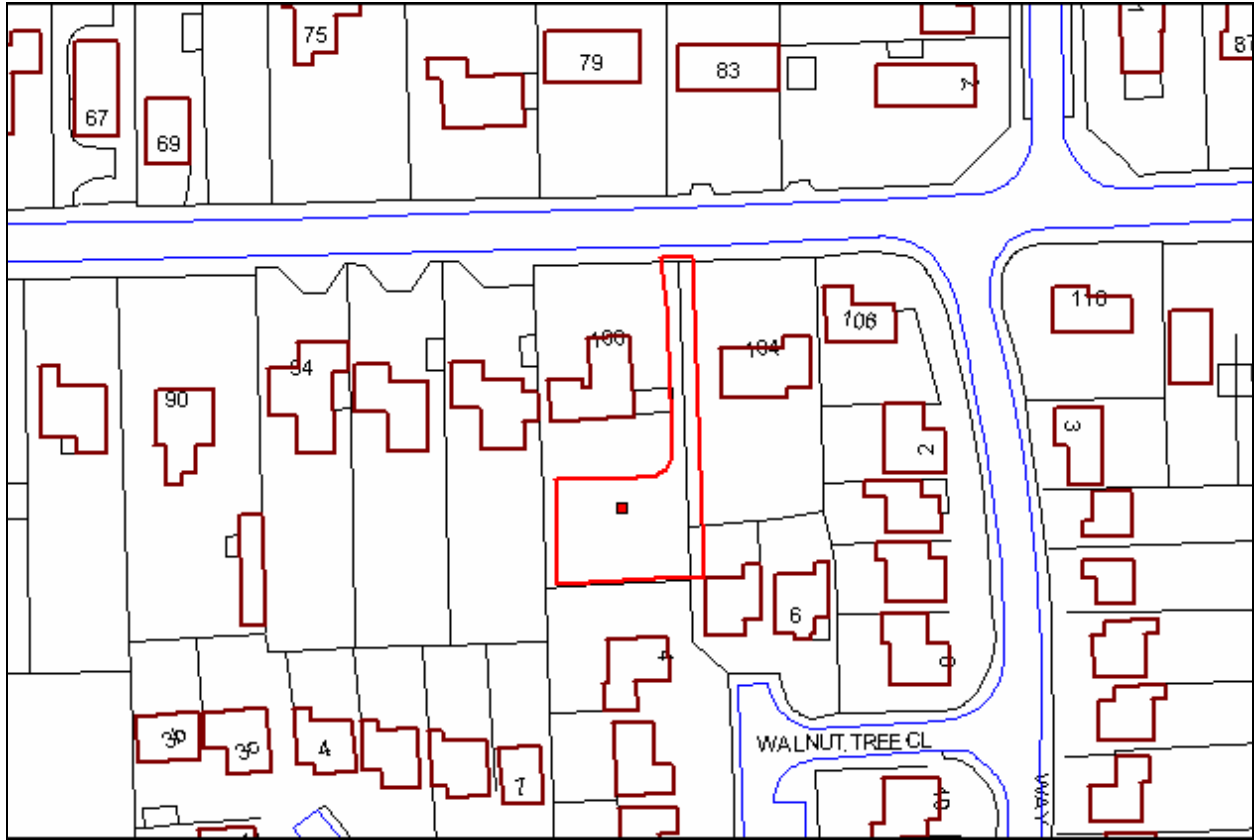
SITE LOCATION PLAN

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Site Description

- The proposal site, measuring 16.5m x 24m, previously comprised the garden area of 100 Downs Road to the north.
- Access to the site is off Downs Road via a 4m wide driveway adjacent the extent of the east side of 100 Down Road.
- A partially constructed single storey dwelling exists in the centre of the site whereby the block work and brick work to the walls is complete as is the interior structural slab.
- The site is bounded by close boarded fencing measuring an average of 1.75m with trellis of 0.5m above on the south and parts of the east, west and north boundaries.
- Levels slope down marginally across the site from north to south.
- There are two storey properties on all sides of the proposal site, at a lower level immediately to the south and east and higher level to the north.

Relevant Planning History

W02846/04 Erection of 1 no. two bedroom dwelling - Land To The Rear Of 100 Downs Road South Wonston Hampshire - Application Permitted - 28/07/2003

W02846/05 Single garage extension to side - 102 Downs Road South Wonston Winchester Hampshire SO21 3EW - Application Withdrawn - 14/10/2004

W02846/06 Replace existing flat roof with pitched roof including 1 no. velux window to front - Logan Cottage 100 Downs Road South Wonston Hampshire SO21 3EW - Application Permitted -

W02846/07 Removal of conditions 5 And 6 (retaining of reinforcing existing hedges etc) from existing planning permission W02846/04 and erection of boundary fence - 102 Downs Road South Wonston Winchester Hampshire SO21 3EW - Application Refused - 01/09/2004

Proposal

- This application was submitted in order to regularise the situation on site, which saw the implementation of planning permission W02846/04 without first complying fully with the conditions attached.
- No levels information was submitted and a 2m high hedge conditioned to be retained to the south and east boundaries was removed. Ultimately the permission was not built in accordance with the plans.
- This application as submitted now reflects what has been partially erected on site.

Consultations

- None

Representations:

South Wonston Parish Council

- No comments.

Letters of representations have been received from 5 Neighbours

- 1 Support – from neighbour at 100 Downs Road to north – wants to see development completed and notes that although neighbours complained at losing hedges, they now appreciate advantages of the new fences.
- 3 Objections – Consider the plans still do not show what is actually on site; property is in closer proximity to boundary; roof is lowered but floor level the same so kitchen door is higher than fence resulting in overlooking; structure is overbearing; privacy and quiet enjoyment of garden lost; loss of hedges results in no screening and fence and trellis are not an adequate replacement and don't protect privacy; existing trellis on one side was not provided by developer; levels have altered resulting in neighbours garden soil falling under fence; general estimate that the bungalow is 1m higher than should be; no corrective action is being taken;

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no datum or point of reference to check levels; the bungalow is closer to boundaries than as planned for.

- 1 Comment – question why the application has been resubmitted which should include hedging as original proposal did.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- UB3, H5, H7, R2.

Winchester District Local Plan

- H1, EN5, T9.

Winchester District Local Plan Review Deposit and Revised Deposit:

- H2, DP3, T1, T4.

Supplementary Planning Guidance:

None.

National Planning Policy Guidance/Statements:

- PPG 1 General Policy and Principles
- PPG 3 Housing

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Detailed design
- Residential amenities Comments on representations

Principle of development

- The principle of allowing a new dwelling in this area is acceptable as it is located within the settlement boundary of South Wonston. This is also subject to the resulting building not having any unneighbourly impacts.
- The developer voluntarily stopped work at site when it became apparent that the building was not being implemented correctly, however no further enforcement action was considered necessary in this case; the preferred route to regularise the situation was for another planning application to be submitted.

Impact on character of area

- It is considered that the building which is a simple single storey dwelling will have no adverse impacts on the character of the area.
- It sits in amongst two storey properties and is largely unnoticeable from Downs Road as it is set 40m back from it and sits behind no. 100.
- The rear of the property is more visible from Walnut Tree Close between no.s 4 and 5 however has no adverse impact on the street scene; the plots size and footprint relates to the properties of this Close.

Detailed design

- The overall design of the property remains similar to that previously approved and will be constructed of a medium multi stock facing brick with charcoal concrete roof tiles and upvc fenestration; these materials are acceptable in this area.
- The hard and soft landscaping proposed for the outdoor area has been included on the plans whereby most of the garden will be grassed with a small patio area to the west side and tarmac area immediately around the building incorporating parking to the north and east sides.

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Residential amenities and comments on representations.

- Concerns with this building arose mainly because of the hedges being removed along the southern and eastern boundaries resulting in a dwelling more exposed than was envisaged when planning permission was originally granted. It is understood that they were however removed at the request of a neighbour provided a fence screening the property was erected.
- There is also the perception that because the dwelling is more visible due to the loss of the hedges that it has also been built too high. Levels have in fact been reduced on parts of the boundaries so the fences are perhaps at a slightly lower level which again adds to the perception that the bungalow is higher.
- Enforcement action was considered unreasonable to take as the building was not considered to have such an impact on the neighbouring properties as to require floor levels and building height to be significantly reduced. It was considered an application with mitigation measures included should be submitted to rectify the situation.
- Site levels and measurements as shown on the plan have been checked on site and are accurate to an acceptable margin of error with the exception of the eastern boundary being 400mm closer to the bungalow than shown.
- No. 4 Walnut Tree Close is most affected by the hedge loss and resulting impact of the rear elevation as there is about a 7.5m gap between elevations (to dining room extension).
- A rear window directly overlooked no. 4's rear garden so this has been omitted from the proposal and replaced with a velux window. The eaves of the rear wall will be lowered in height by 500mm or about 3 brick courses from the original approved plan so that only 300mm of wall will be visible over the proposed fence and trellis. It is considered that this will have no materially harmful impacts on the amenities of no. 4 Walnut Tree Close.
- In addition, the main concern of no. 5 Walnut Tree Close is overlooking from the kitchen door; this has been omitted from the proposal and conditions are attached to ensure that no additional windows or doors can be inserted in the property at a later date.
- It is considered that the proposed fencing and trellis is acceptable so that whilst the property is still more exposed than it initially would have been with the hedging, the property will have an acceptable relationship with the surrounding properties and there will be no demonstrably harmful impacts on the amenities of neighbours.

Recommendation

APPROVE subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five 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.

02 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes 1 of Parts A, B, C, E of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

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

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03 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows or doors other than those expressly authorised by this permission shall, at any time, be constructed in the north, south, east or west elevation(s) of dwelling hereby permitted.

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

04 The existing fences and trellis including that proposed on the plans hereby approved shall be erected and retained on all boundaries. Should any be removed, replacement fencing shall be erected within 1 month from the time the boundary treatment was removed, unless otherwise agreed in writing by the local planning authority.

04 Reason: In the interests of the amenities of the area and surrounding properties.

05 A detailed scheme for 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.

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

06 The parking area proposed, shall be constructed, surfaced and marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking, loading, unloading and turning of vehicles.

06 Reason: To ensure that adequate on-site parking and turning facilities are made available.

Informatives

01. 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 54A of the Town and Country Planning Act 1990 (as amended), planning permission should therefore be granted.

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

Hampshire County Structure Plan Review: UB3, H5, H7, R2.

Winchester District Local Plan Proposals: H1, EN5, T9.

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H2, DP3, T1, T4.