

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 13 September 2007

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	07/01653/FUL	<b>Valid Date</b>	5 July 2007
<b>W No:</b>	05342/03	<b>Recommendation Date</b>	28 August 2007
<b>Case Officer:</b>	Nick Fisher	<b>8 Week Date</b>	<b>30 August 2007</b>
		<b>Committee date</b>	<b>13 September 2007</b>
<b>Recommendation:</b>	<b>Application Permitted</b>	<b>Decision:</b>	<b>Committee Decision</b>

**Proposal:** Amendment to permission W05342/02 to provide additional living space in roof including 3 no. rear dormer windows and 2 no. front velux windows.

**Site:** Badgers Green 117 Springvale Road Kings Worthy Hampshire SO23 7LE

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
	<b>N</b>	<b>N</b>	<b>Y=8</b>	<b>N</b>	<b>Y/N</b>	<b>Y</b>

DELEGATED ITEM SIGN OFF		
<b>APPROVE</b> Subject to the condition(s) listed		
	<b>Signature</b>	<b>Date</b>
<b>CASE OFFICER</b>		
<b>TEAM MANAGER</b>		

**AMENDED PLANS DATE:-**

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**Item No:** 9  
**Case No:** 07/01653/FUL / W05342/03  
**Proposal Description:** Amendment to permission W05342/02 to provide additional living space in roof including 3 no. rear dormer windows and 2 no. front velux windows  
**Address:** Badgers Green 117 Springvale Road Kings Worthy Hampshire SO23 7LE  
**Parish/Ward:** Kings Worthy  
**Applicants Name:** Mr J Russell  
**Case Officer:** Mr Nick Fisher  
**Date Valid:** 5 July 2007  
**Recommendation:** Application Permitted

**General Comments:**

This application has been brought before the Committee because of the number of objections received.

This particular proposal constitutes an amendment to an existing permission, W05342/02, for a replacement bungalow. Compared to the original permission, the current proposal raises the ridge height by approximately 35 cm and involves the creation of first floor living accommodation with the insertion of three dormer windows in the roof space of the rear elevation.

**Site Description:**

The site subject to this application consists of a fire damaged single storey, low pitched bungalow, which is 1960s in style.

There are similarly styled and proportioned bungalows immediately to the north and south of the dwelling. However, there is a row of two storey dwelling-houses immediately to the south of the site and in general terms Springvale Road consists of a range of house types, heights and styles.

To the rear of the site there are several modern substantial 'chalet' bungalow style dwellings, with a mixture of flat roofed and hipped dormer windows.

The site is flat, rectangular in shape, and at a slightly lower level than the adjacent carriageway.

The site is located in a flood risk area, as identified by the Environment Agency.

There is substantial existing vegetation within the front garden in close proximity to the highway. The rear and side boundaries are enclosed by a fence standing at approximately 1.8 metres in height.

The property is served by a well proportioned garden area in relation to the size of the dwelling.

**Proposal:**

This particular proposal constitutes an amendment to an existing permission, W05342/02, in which permission was granted for a replacement bungalow. Compared to the original permission, the current proposal raises the ridge height by approximately 35 cm and involves the creation of first floor living accommodation with the insertion of three dormer windows in the roof space of the rear elevation.

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The proposed materials to be employed consist of bricks and plain tiles.

The existing floorspace of the fire damaged dwelling is 117 square metres. The proposed size of the new dwelling is 215 square metres. The floorspace of the approved dwelling is 166 square metres.

**Relevant Planning History:**

**W05342/01** - Demolition of 1 no bungalow and erection of 2 no two storey three bedroom dwellings – Withdrawn, 29/11/2006

**W05342/02** - Replacement three bedroom bungalow – Permitted, 24/05/2007

**Consultations:**

Environment Agency: – No objection. The Environment Agency considers the site to be 'low risk' in relation to flood potential.

**Representations:**

Kings Worthy Parish Council: Considered that the dormer windows would be better located to the front of the property in order to avoid overlooking of the neighbouring dwelling.

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

- concerning height of the proposed building;
- detrimental impact on the character of the area;
- 'overwhelming impact on adjoining dwellings';
- intrusive impact on landscape;
- overlooking and overshadowing of neighbouring dwellings;
- roof pitch – flat roof element;
- chimney – central placement;
- size and number of dormers;
- dangerous precedent;

Reasons not material to planning, and therefore not addressed in this report:

- Impact on property values.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

UB3

Winchester District Local Plan Review

DP1, DP3, DP4

National Planning Policy Guidance/Statements:

PPS1, PPS3

Supplementary Planning Guidance:

Kings Worthy and Martyr Worthy Village Design Statement.

## **Planning Considerations:**

### Principle of development:

The principle of replacing the existing fire damaged bungalow is considered to be acceptable, and has already been endorsed by virtue of the previous consent.

Compared to the previously approved scheme, the roof height of the bungalow would be raised by only 35cm. Therefore, a refusal based on height would appear unreasonable. Furthermore, it is considered that the height will not have a significant or demonstrable detrimental impact upon the street-scene, due to the bungalow being set back from the road, the considerable amount of vegetation running along the front boundary and the levels of the site being slightly below the highway.

The Environment Agency is satisfied that the development overcomes flood risk issues, and the proposal is therefore considered acceptable in relation to flood risk potential.

In relation to PPS 3, the proposal clearly improves the character of the area, as it replaces a dilapidated, fire damaged bungalow and temporary living accommodation with a new bungalow.

Concerning the rear dormer windows, such development is normally permitted development, and this is a material consideration which should be taken into account (*Wells v Minister of Housing and Local Government [1967] 2 All ER 1041*), as rear dormers could be inserted into the existing dwelling without applying for planning permission. The fact that such development is usually considered to be permitted development implies that rear dormers do not in general result in a detrimental impact on the character of an area or neighbouring properties.

### Design/layout:

On balance, the proposed design and appearance of the bungalow is considered to be acceptable. The design, scale and layout respond to the local environment, as the proposal is for a bungalow, and the building is to be pushed back in its plot in order to accord with the building line along Springvale Road.

With regard to the roof form, the principle of this roof shape has been accepted in the previous approval (07/00882/FUL), and will have only a minimal impact on the street scene, thus it is not considered to be a reasonable justification for refusal. In addition, the chimney location and design is fairly standard and is considered to be acceptable.

### Impact on character of area and neighbouring properties

The Kings Worthy Village Design Statement highlights the varied nature of development along Springvale Road. On page 12 it is stated that the area is characterised by bungalows, *'a number of which have been converted into two storey chalet bungalows'*.

The Kings Worthy Village Design Statement expresses a preference for hipped dormers. However, there is clear evidence of flat roofed dormers in the vicinity, thus, while hipped dormer windows would be preferable, the employment of flat roofed dormers is not out of character with the area and so is considered to be acceptable. Furthermore, the dormer windows are located in the rear elevation, thus they will not have an impact on the street scene.

The ridge of the proposed dwelling will be approximately 1.45m higher than the ridge serving the two neighbouring bungalows. However, the proposed dwelling is pushed back within the site, to align with the building line / front elevation of No. 117a: this measure helps to slightly reduce the

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prominence of the proposal within the street-scene. In addition, as the existing dwelling is located slightly forward of the building line, it already appears taller than the two neighbouring dwellings.

Furthermore, there is substantial vegetation running along Springvale Road, offering considerable screening of the site / front elevation and minimising its impact on the street scene.

Due to the modest scale of the scheme, the proposal will not appear to be visually prominent / overbearing when viewed from neighbouring properties. Furthermore, the building will not cause unacceptable overshadowing or loss of light.

With regard to overlooking, the proposal is considered to be acceptable. The Urban Design Compendium, produced by the Commission of Architecture and the Built Environment, considers that a rear window-to-window distance of 20 metres is usually acceptable. In relation to this proposal, there is a distance of 17 metres from the dormer windows to the boundary fence, which is considered to be an acceptable distance. Concerns regarding overlooking are further diminished by the tall boundary fence and alignment of the properties to the rear, which means that only a small and peripheral area of the neighbouring gardens could be overlooked. Therefore, the proposal is not considered to have an unacceptable adverse impact on adjoining properties.

**Recommendation:**

Application permitted subject to the following conditions:

**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. No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwelling house 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.
2. Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.
3. A detailed scheme for landscaping, tree and/or shrub planting / retention of existing trees and shrubs 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.
3. Reason: To improve the appearance of the site in the interests of visual amenity.
4. 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 dormer windows or roof-light windows other than those expressly authorised by

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this permission shall, at any time, be constructed in the front (western) and rear (eastern) elevation(s) of the dwelling hereby permitted.

4. Reason: In the interests of protecting the residential amenity of nearby neighbours and in the interests of ensuring that the development relates well to nearby buildings and the street-scene.

5. The temporary domestic mobile home located at the site shall be removed within 3 months of the replacement bungalow being first occupied.

5. Reason: To ensure that the temporary building is removed, in the interests of the visual amenity of the area.

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 to 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 cleaned sufficiently to prevent mud being carried onto the highway.

6. Reason: In the interests of highway safety.

7. No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

7. Reason: To ensure that the development is satisfactory in relation to nearby buildings.

8. No materials shall at any time be burnt on site during the removal of the existing building and construction of the replacement dwelling.

8. Reason: To protect the amenity of nearby neighbours.

**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:-

Hampshire County Structure Plan Review: UB3  
Winchester District Local Plan Adopted 2006: DP1, DP3, DP4  
Kings Worthy and Martyr Worthy Village Design Statement