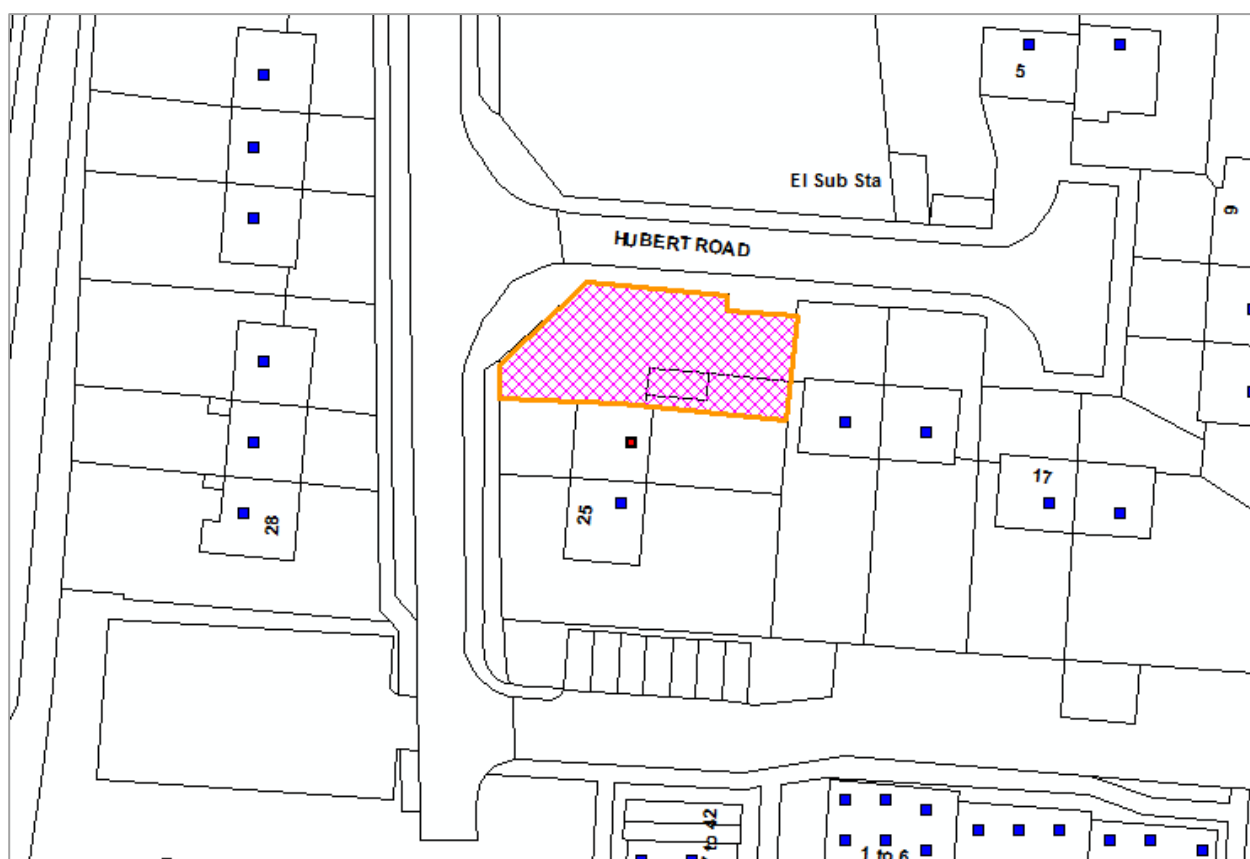


**Item No:** 06  
**Case No:** 17/03151/FUL  
**Proposal Description:** Proposed new end terrace 3 bedroom house  
**Address:** 23 Hubert Road Winchester Hampshire SO23 9RG  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Mr and Mrs Yannis Kingdom  
**Case Officer:** Liz Marsden  
**Date Valid:** 9 January 2018

**Recommendation** Permission



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## **General Comments**

**Application is reported to Committee due to the number of comments received contrary to the officer recommendation.**

Amended plans have been received 13.02.2018 which resulted in:

- Removal of the basement
- Reduction in size of the single storey elements
- Alterations to the parking layout

## **Site Description**

The site is an area of 0.03ha which currently forms the side garden of No.23 Hubert Road, a semi detached property located on a corner plot. The side (northern) boundary of the site, adjacent to the pavement, is screened by a 2m beech hedge which extends around to the frontage of the site and the enclosed area is, at present, slightly overgrown. The lower (south eastern) part of the site is enclosed by a brick wall, which extends to the side of No. 23 and contains a shed. There is a Weeping Birch tree on the north eastern corner, near the boundary with No.21.

The site as a whole slopes down from the highest point from the frontage of the site to the west, to its eastern boundary with No.21, a difference in land level of around 2m across the 34m length of the site.

The surrounding area is characterised by two-storey houses, the majority of which in Hubert Road being either semi-detached or in short terraces of 3 units and with a strong uniformity in design and appearance. The houses were originally built with integral garages, many of which, including that at No.23 and the adjoining property No. 25, have been converted to form part of the residential accommodation. To the south of the site there are a number of block of flats, three storeys high and to the north there are a pair of houses set in more spacious and well-treed grounds.

## **Proposal**

The proposal is for the addition of a three bedroom house, with a room in the roof space, adjoining the northern side of No.23. The two-storey part of the house is to be of the same height and width as the existing properties in the road, but will include a single storey side and rear extension, resulting in a larger footprint. The originally proposed dwelling included a basement level, but this has been removed from the amended plans, which also reduced the width of the side extension by a metre. The facing materials to be used are to match those of existing development in the area and the design of the frontage reflects the double-fronted appearance of the surrounding houses, though the treatment of the fenestration is slightly different.

The site will include a section of the walled-off garden area currently serving No.23, reducing the garden available to that property. Other than the adjoining property, the closest house is No.21 to the east of the site and this is set approximately 13m from the nearest part of the proposed dwelling. A footpath is to be provided from Hubert Road, along the eastern boundary of the new development, to provide pedestrian access to No.23.

Two car parking spaces are to be provided on the frontage of the site, with a slightly narrower driveway. The car parking provision for the existing property is to be left unaltered.

## **Relevant Planning History**

17/01123/FUL - 4 bedroom detached house with integral garage - Refused 29.06.17 for the following reasons:

1. The proposed development would, by reason of its size, unsympathetic design and prominent location, be an intrusive structure which would be out of keeping with the pattern and spatial characteristics of the adjacent development to the significant detriment of the character and appearance of the surrounding area. The proposal would therefore be contrary to Policies WT1 and CP13 of Winchester District Local Plan Part 1 - Joint Core Strategy, policies DM15, DM16 and DM17 of Winchester District Local Plan Part 2 - Development Management and site Allocations and Supplementary Planning Document - High Quality Places.
2. Adequate provision is not made on the site for the parking of vehicles in a satisfactory manner. Consequently the proposed development would be likely to encourage the parking of vehicles on the public highway which would interrupt the free flow of traffic and thereby add to the hazards of road users at this point.

## **Consultations**

### Engineers: Drainage:

Mains foul drainage is available and surface water going to a soakaway. No objection.

### Engineers: Highways:

Highway objections to the previous application were primarily due to the parking arrangements which were for triple tandem parking. The current proposal provides 2 spaces side by side and is considered acceptable. Hampshire Highway have confirmed that a license to create the new footway crossing would be issued if planning approval was granted. No objection subject to conditions.

### Southern Water:

No objection subject to appropriate informatives requiring a formal application to Southern Water for a connection to the public foul sewer and ensuring that no excavation, mounding or tree planting within 4m of the public water main without consent.

## **Representations:**

### City of Winchester Trust:

Proposed house is more sensitive than the previous proposal on this site and providing that the highways engineer is satisfied with parking arrangements, no further comment.

19 letters received, from 17 households, objecting to the originally submitted proposal for the following reasons:

- Increased traffic and highway hazards due to proximity of access to corner.
- Road is not a cul-de-sac, as described, but a through route to 62 flats.

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- Will make the existing inadequate parking situation worse, as due to the narrowness of the road it will not be possible to park on the street opposite the new access. Increased parking on the road will lead to further congestion.
- Parking will encroach onto public land
- Increased pollution leading to impact on resident's health.
- Garden grabbing leading to loss of green area.
- Adverse impact on ecology
- Provision of basement would set an undesirable precedent and have an adverse impact on foundations and drainage and be disruptive to local residents.
- Over-development of the site. Very large house with little garden area.
- Loss of garden to the existing house.
- Out of keeping with the uniform style of the houses in the road
- Detract from the open character of the area. The hedge around the site already encloses what was intended to be an open area.
- Loss of trees
- Doubt the accuracy of the plans and supporting picture.
- Proposal does not match the existing architecture of Hubert Road
- The addition of the kitchen/dining area will be visible from any aspect.
- Extends in front of the building line and have an overbearing impact to the top of the cul-de-sac
- Previous extension was refused

Following the submission of revised plans a further 13 letters of objection were received, 2 of which were from people who had not commented previously. The following, additional, points were raised.

- Parking reduced to existing house at 23, with only 2 spaces at new property. This is inadequate and will exacerbate the already difficult parking situation in the road.
- Loss of light and outlook to houses across the road.
- The playroom in the roof space likely to be turned into a bedroom, making the parking provision inadequate.
- Potential provision of dormers in roof space would impinge on privacy of no.21 and beyond.
- Proposed footpath from the road to rear of No.23 could result in adverse impact on the occupants of No.21, particularly if it was turned into a vehicular access.

4 letters of support received to the original proposal, with a further 5 letters of support received following the submission of revised plans.

- Regular visitor to the road and have never had a problem parking.
- Proposed house is in keeping with the style and character of the road and will be an attractive addition
- Good opportunity to build a much needed house in the area and will not result in harm to the environment or local residents.
- Many of the houses in the road have extensions and loft and garage conversions and the proposal will not be out of keeping in this setting.

### **Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy  
 WT1, MTRA1, CP3, CP11, CP13, CP14  
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Winchester Local Plan Part 2 – Development Management and Site Allocations  
DM1, DM15, DM16, DM17, DM18

National Planning Policy Guidance/Statements:  
National Planning Policy Framework

Supplementary Planning Guidance  
High Quality Places SPD 2015

**Planning Considerations**

Principle of development

The proposal site is located within the main settlement boundary of Winchester and therefore there is a presumption in favour of additional housing development, subject to an assessment with other policies of the Local Plan.

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 bedroom dwellings, unless local circumstances indicate an alternative approach should be taken. In this case the proposal is for a single additional dwelling with 3 bedrooms and will not therefore conflict with this policy.

Policy CP14 of LPP1 states that the development potential of all sites should be maximised and that higher densities will be supported on sites which have good access to facilities and public transport. The primary determinant will be how well the design responds to the general character of the area. In this case there are public transport links within a short walking distance from the site, along St Cross Road.

The size of the site is such that the proposal represents a density of 35 units per hectare, similar to that of the surrounding development.

Design/layout

The previous application for a dwelling on this site was for a detached dwelling which bore no resemblance to the existing houses in the vicinity and was considered to be unsympathetic to the character and appearance of the area, to its detriment. The new dwelling, however, has been designed to match, in terms of height and width, the other properties in the immediate vicinity and reflects the double fronted appearance of these buildings. The primary visual difference, when viewed from the road, is the treatment of the windows which are smaller than the extensive glazing neighbouring houses and omit the shutters which are also a feature of the frontages. Whilst this will result in an individual appearance to the property, it is considered that the use of similar facing materials, together with the form of the building, will ensure sufficient uniformity with surrounding development to ensure that the proposal will not appear incongruous or out of keeping in this location.

The current proposal also retains a greater gap between the side of the house and the road to the north than the previous scheme, which extended to within 2m of the edge of

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the pavement. The two storey section of the house is over 4m from the pavement and the single storey section towards the rear of the side elevation is 2.5m away. The retention of the hedge in front of a new close-boarded fence, securing the rear garden of the site will also serve to screen much of this element of the proposal.

In addition to the design issues associated with the previous, refused, proposal, there was a second reason for refusal relating to the inadequate parking provision for that house. Whilst the plans submitted with that application showed 3 parking spaces in accordance with the standards for a 4 bedroomed house, these spaces, which included a garage (of a size smaller than currently required) were all in tandem and would have been likely to result in excessive manoeuvring, or result in cars being parked on the road.

The current application is for a three bed house and provides two spaces on the frontage of the site, which are side by side and accessible individually. It is acknowledged that the accommodation to be provided in the roof space could become another bedroom and there have been a number of loft conversions to other properties in the area, resulting in 4 bed properties with a similar level of parking provision. It should be noted that permitted development rights have not been removed from these properties and that there is no restriction on the ability of the lofts to be converted.

#### Impact on character of area

The primary impact on the character of the area is the loss of some of the spaciousness that is provided by the undeveloped side garden. The original layout of the estate has largely been retained, with the houses set well back from the road and left unenclosed and it is apparent, from historic photographs of the area, that this corner was originally a wide grassed area. However, with the planting of the hedge along the edge of the pavement, which it is understood took place about 10 years ago, the openness has already been reduced.

The current proposal is still set back from the edge of the road, with the two storey element of the house a minimum distance of 3m from the footpath and therefore, whilst there will inevitably be some further impact on the openness of this corner, this will not appear so constrained as to sustain a reason for refusal on this basis. Furthermore, given the lack of development on the north side of the road, which is bounded by the mature trees in the garden of Beaufort Lodge, the overall loss of visual amenity that would result by the provision of an additional house of a similar size, scale and plot size to others in the area will be very limited.

There is sprawling Weeping Birch tree located in the north east corner of the site, the crown spread of which covers a large section of the garden for the proposed house and is therefore likely to be significantly cut back or removed. Whilst the tree does provide some contribution to the visual amenity of the area, it is not of sufficient stature or quality to warrant retention and its loss would not so adversely affect the character and appearance of the area so as to justify a refusal on this basis. The applicants have confirmed that they would be happy to plant replacement trees in this location.

#### Impact on neighbouring property

The proposal will extend 2m beyond the rear elevation of No.23 and will be apparent in views from the rear of that property, though it is not considered that it will have a significant or overbearing impact on its outlook. Furthermore it is located to the north of the house and will not result in loss of light through overshadowing. It will reduce the

garden area available to No.23, not only by developing the largely underused area, but also by incorporating part of the garden that is enclosed by a wall. However, the area that is to be retained is similar to that available to other properties in Hubert Road and commensurate with modern urban development.

The nearest neighbour, No.21, is located to the east and set at a slightly lower level. The new dwelling would be aligned with the side and frontage of that property. Concern has been raised that the proposal could result in overlooking of No.21 from the attic level, particularly if dormers were inserted into the roof space. However, No.21 has had a two-storey rear extension and there would be no possibility of any but the most oblique view of the private amenity space to its rear. There is a single small window in the side elevation, which is already viewed by the existing house at 23.

Some concern has been raised about the provision of a footpath, leading from Hubert Road to the rear garden retained by No.23. This would run along the rear of the garden serving the new house and the side boundary of No.21. It is not considered that a footpath serving a single house would, in itself cause sufficient disturbance to occupants of neighbouring properties and concern about the potential for it to be turned into a vehicular access and parking provision can be addressed by a condition ensuring that it does not increase in width and should be solely used by pedestrians.

The objection has also been raised that the proposal will result in loss of light and outlook to the properties opposite the site (West of Hubert Road). These properties are set on higher ground and are located around 25m from the frontage of the proposed house, similar to the relationship between the existing houses either side of the road and a reason for refusal, based on loss of amenity to the occupants of those houses, could not be sustained.

#### Highways/Parking

A number of concerns that have been raised are based on the impact of the proposal on highways grounds, due to inadequate on-site parking, leading to increased on-street parking and the loss of an on-street parking space due to the new access. It is considered by local residents that this will result in increased congestion and potential hazards to users of the highway.

In terms of parking, as set out in the design and layout section of this statement, the proposal is for a 3 bedroom house and includes 2 spaces which can be accessed individually and are therefore more likely to be used than the on-site parking provision for other properties in the area which comprises of a single space on the drive in front of the garage which, if it has not already been converted, provides a second space. Therefore a number of the existing properties in the area, including the existing house at No.23, currently only have a single space serving a 3 (or 4, if a loft conversion has also been carried out) bedroom house. The current proposal would therefore provide a greater level of parking for the size of the house than others in the area and it is not considered that it would be possible to justify a refusal on this basis.

Some comments also suggest that the proposal will decrease the on-site parking to the existing house at No.23, though this is not the case. No.23 has a single space at the present time and this is not affected by the application.

There appear to be contradictory views about the on-street parking, with objections

made about the congestion caused by cars parking on the road, together with concern about the loss of an on-street parking space as a result of the new access. It should be noted that the primary purpose of the public highway is for passing of traffic and access to properties and the proposal will not affect either of these.

The location of the new access is close to the junction of the road with a short cul-de-sac, but has been assessed by Hampshire County Councils Engineer, who has confirmed that they will allow a dropped kerb in this location. Whilst the comment has been made that Hubert Road as a whole is not a cul-de-sac, as it provides access to the 62 properties in Painters Field to the south, neither is it a through road. Vehicle speeds are naturally constrained by the width of the road and additional manoeuvring due to access and egress from the site will not result in a significant hazard to other users of the highway.

#### Other Matters

Ecology – The comment has been made that the site is within a 100m of Bushfield Camp, which is a Site of Importance for Nature Conservation (SINC) and the biodiversity checklist submitted with the application is therefore inaccurate. However, whilst the site is only 82m from the open space of the camp, it is over 150m from the nearest part of the SINC, which furthermore is separated from the site by existing residential development, a road and a railway line. It is not therefore considered that the proposal will adversely affect the ecology of the area.

#### Conclusion

It has been assessed that the proposal represents an appropriate development for the area in relation to the proposed layout and design and is considered in keeping with the spatial characteristics of the immediate surroundings. The development will not adversely affect the residential amenity of adjacent properties or detriment to highway safety so as to justify refusing planning permission. On this basis the proposed development is recommended for permission in accordance with the adopted policies of the Local Plan and subject to a number of enhancement and safeguarding conditions.

#### **Recommendation**

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.

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.

Reason: to ensure that the external appearance of the development is of a high order.

3. 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, D, E or F of Part 1 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.

4. The footpath as shown on plan ref. SK/R/1B, leading from Hubert Road to the rear garden of No.23 shall be retained for pedestrian use only and at no time be widened or used for vehicular access or parking.

Reason: In the interests of the residential amenities of occupants of neighbouring properties.

5. Details of the size, species and location of a tree to replace the Weeping Birch, should it be removed, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. Such replacement planting shall be undertaken during the next planting season after the completion of the development.

Reason: In the interests of visual amenity and to conserve the contribution of trees to the character of the area.

6. 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.

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.

7. 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 the dwelling meets 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.

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.

8. The proposed access and drive, including the footway crossing shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure satisfactory means of access.

9. Before the development hereby approved is first brought into use, a minimum of two car parking spaces shall be provided within the curtilage of the site and thereafter maintained and kept available.

Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

10. The development shall be carried out in accordance with the following approved plans:

SK/R/1B – Proposed ground floor plan  
SK/R/2B – First floor, roof space and roof plans  
SK/R/3B – Front and side elevations  
SK/R/4/B – Rear elevation and section

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 the proposals were discussed with the applicants and the plans were revised to try and overcome concerns.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-  
Local Plan Part 1 - Joint Core Strategy: WT1, MTRA1, CP3, CP11, CP13, CP14  
Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18
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.

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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. No excavation, mounding or tree planting should be carried out within 4 metres of the public water main without consent from Southern Water. 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](http://www.southernwater.co.uk).

7. 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)