

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City  
Council  
Planning Department  
Development Control

TEAM MANAGER  
SIGN OFF SHEET

## Committee Decision

<b>Case No:</b>	08/00771/FUL	<b>Valid Date</b>	28 March 2008
<b>W No:</b>	05303/03	<b>Recommendation Date</b>	6 May 2008
<b>Case Officer:</b>	Mr Andrew Rushmer	<b>8 Week Date</b>	<b>23 May 2008</b>
		<b>Committee date</b>	<b>22 May 2008</b>
<b>Recommendation:</b>	<b>Application Refused</b>	<b>Decision:</b>	<b>Committee Decision</b>

**Proposal:** Detached two bed dwelling within curtilage of Carle End

**Site:** Carle End School Lane Headbourne Worthy Winchester Hampshire

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
Y	N	N	Y	N	N	N

DELEGATED ITEM SIGN OFF		
		REFUSE for the reason(s) listed
	Signature	Date
<b>CASE OFFICER</b>	Andrew Rushmer	07/05/2008
<b>TEAM MANAGER</b>	JCH	7/05/08

**AMENDED PLANS DATE:-**

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**Item No:** 4  
**Case No:** 08/00771/FUL / W05303/03  
**Proposal Description:** Detached two bed dwelling within curtilage of Carle End  
**Address:** Carle End School Lane Headbourne Worthy Winchester Hampshire  
**Parish/Ward:** Headbourne Worthy  
**Applicants Name:** Mrs R A B Stephens  
**Case Officer:** Mr Andrew Rushmer  
**Date Valid:** 28 March 2008  
**Recommendation:** Application Refused

### General Comments

This application is reported to Committee as a Winchester City Councillor has an interest in the application (Cllr Stephens' parents are the applicants)

### Site Description

The site is located in the garden of Carle End, which is a large detached house, located at the end of a narrow drive, just off School Lane in Headbourne Worthy. The garden is next to a field, and the site of the proposed development will be next to some trees and foliage which form the boundary between the garden and the neighbouring field.

In terms of the general area, the surrounding locality is largely rural, but contains a cluster of large detached properties situated within generous plots. With regard to the surrounding built form there are various architectural styles present.

The site is situated on rising land, near the top of a reasonably steep slope. The house would be located near of the top of the slope, and at this point the slope is relatively gentle.

Carle End is located at the end of a narrow drive, which has only room for one car to pass. Furthermore, there are several properties located just off the track (five properties appear to be accessed from the drive), and the junction at the bottom of the driveway is also very tight and fairly difficult to negotiate.

### Proposal

The proposal is to provide a two-bedroom dwelling, with integral garage, within the side garden of Carle End. The property will be approximately 135 square metres (measured externally), excluding the integral garage.

The proposed house would be formed from two linked two-storey wings, one of which (containing the integral garage) is arranged in a diagonal direction when compared to the other wing. The finishing materials are proposed to be handmade red bricks and flint and, for the roof, slate tiles and lead.

### Relevant Planning History

#### Planning history of the application site

**W05303** - Erection of a two storey extension to provide 'granny flat' and new garage with store room over – Application Refused 31/03/1980

**W05303/01** - Erection of extensions to provide lounge, bedroom, kitchen, bathroom and addition to dining room with store room at first floor level, erection of double garage – Application Permitted 24/06/1980

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**W05303/02** - Single storey side and rear extensions – Application Permitted 05/06/1987

Planning history in relation to nearby sites, as quoted by the applicants:

**W08206/03** - (Amended Description) Detached four bedroom dwelling with rooms in roof, and detached single garage, detached four bedroom dwelling with attached double garage alterations to existing access, Part Of Watercress Beds, Bedfield Lane, Headbourne Worthy – Application Permitted 06/01/2000

**W17365/01** - (Amended Description) Demolition of existing dwelling and erection of 1 no. five bedroom detached dwelling, detached double garage and creation of new access (Part Retrospective), St Birinus, School Lane, Headbourne Worthy – Application Permitted 22/09/2003

**W00472/08**- Two storey side and rear extension and single storey rear extension, Grange Cottage, School Lane, Headbourne Worthy – Application Permitted, 23/08/2004

### **Consultations**

Engineers: Drainage:

No objection raised.

Engineers: Highways:

The Highways Engineer considered that insufficient land was included within the red line in order to safeguard a satisfactory visibility splay on to School Lane.

Furthermore, the Highways Engineer considered that the road leading up to the proposed dwelling had poor forward visibility, and a substandard junction with Worthy Road.

In addition, the Highways Engineer expressed concern that permitting the proposed scheme could result in a dangerous precedent being set, with the result that more development would be permitted in the vicinity, leading to an unacceptable increase in vehicular traffic.

### **Representations:**

Headbourne Worthy Parish Council:

- No comments received

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

- The development would be out of character with the surrounding built form;
- The proposal would result in a cramped and unneighbourly form of development;
- Potential for a dangerous precedent to be set;
- Contrary to policy;
- Would result in an unacceptable degree of overlooking;
- Concern about the potential impact of the development on trees in the vicinity of the site;
- Drawing attention to the poor quality access road and junction;
- On the grounds that the design is not in keeping with the present style of the nearby houses and bungalows.

4 letters of support received:

- It will provide accommodation for a member of the applicant's family who works locally;
- Commending the design for being innovative and consistent with the character of the village;
- Referring to the considerable screening of the site in the spring and summer;
- Stressing the advantages of providing accommodation in the village for young people;
- Supporting the inclusion of environmentally friendly elements.

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**Relevant Planning Policy:**

Winchester District Local Plan Review 2006:

CE2, CE5, H4, H6, DP3, DP9, RT4

National Planning Policy Guidance/Statements:

PPS7 – Sustainable Development in Rural Areas

Supplementary Planning Guidance

Implementation of Local Plan Infilling Policy (H.4)

**Planning Considerations**

Principle of development

The proposal is considered to be contrary to the supplementary planning guidance - Implementation of Local Plan Infilling Policy (H.4). In order to comply with the guidance it is necessary for all of the seven criteria to be satisfied. However, in this case, three of the criteria are not met. More specifically, it is considered that the proposal is contrary to Criterion 2, as the proposed location is not in a gap between two buildings. It is set back considerably from the row of properties, and is virtually next to Carle End. Furthermore, its side boundary borders a field, which further emphasises the fact that the site is not situated in a gap between buildings. In addition, the proposal is not situated within a continuous built-up frontage to an existing road. In their planning statement the applicants refer to the plot being in a gap between plots, as opposed to buildings, and state that it is not part of a frontage along a road (p.17 of the applicants' Planning Statement) Finally, in relation to the seven criteria, the proposal is not in accordance with Criterion 3, as it does not provide safe highway access (see Highways Engineer's comments above); and the proposal does not accord with Criterion 5, as it is within a 'local gap'. In conclusion, the proposal clearly fails to accord with the provisions of the Local Plan Infilling Policy (H.4) supplementary planning guidance and therefore there is a fundamental policy objection to the proposal.

In addition, there is a very strong presumption against new dwellings in the countryside within the Winchester District Local Plan Review 2006, and PPS7 (p.7 – key principles).

Development such as this on this site, which is clearly contrary to policy, would create a precedent, and weaken the application of the policy in relation to other applications on the edge of clusters of development in the countryside. This would undermine the aims of the Winchester District Local Plan Review 2006 and PPS7. The potential danger of this precedent is emphasised by the concerns of the Highways Engineer that, were the Local Planning Authority to become unable to defend similar applications in the vicinity of this group of properties, it would have a damaging impact on highway safety. Finally, in relation to the precedent argument, it is clear that this is not the primary consideration for the determination of this application, and it is also clear that the principle remains that all applications must first and foremost be determined on their merits and in accordance with Development Plan policy.

The applicant has quoted other applications in the vicinity that have been allowed. The application at St Birinus (W17365/01) involved a re-build, and therefore was decided in accordance with different policies. With regard to Worthy House and Worthy Barn (W08206/03), the history of this site is complicated, and it is not considered that it could give rise to a precedent which would support this current application, especially as it was decided under different policies. With regard to Grange Cottage (W00472/08), this also was clearly a very different proposal, as it was an extension to an existing dwelling and was decided under different policies.

Quite separate to the above policies, there is also a fundamental policy objection as the proposed dwelling is located in the Winchester – Kingsworthy/Headbourne Worthy Local Gap (as

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designated in the Winchester District Local Plan Review 2006 – Policy CE2). Policy CE2 states that development will only be allowed if it does not physically or visually diminish the gap and undermine the gap's function.

The applicants state that the proposal will provide an affordable dwelling as they assert that it will cost £200,000 to develop, making it considerably cheaper than the £300,000 recently paid for a two bedroom property in the village. Policy H.6 refers to the provision of housing for local needs in rural areas, however, it is not considered that this policy is complied-with in this instance. Policy H6 requires the affordable housing in question to be provided '*in perpetuity for local people in proven housing need, who cannot afford accommodation locally on the open market*'. This would require the proposed house to be permanently assigned as affordable housing, and to be available to anyone who is eligible to received affordable housing, which is not what the applicant is proposing.

The Local Planning Authority welcomes the use of renewable energy features. However, it is not considered that these outweigh the fundamental policy objections outlined above.

#### Design/layout

In many respects the design is considered to be acceptable, however, it is considered that the scale of the proposal is unacceptable and hence the proposal is contrary to Policy DP3 of the Winchester District Local Plan Review 2006. More specifically, the proposed materials respond positively to the character of the area, and the splitting of the property into two wings breaks up the bulk of the proposal. However, given that the proposal is located within a Strategic Gap, and despite the use of the contours of the site to reduce the perception of its size, it is still considered that the scale of the proposal is not an appropriate response to the site and policy context.

#### Impact on character of area and neighbouring property

With regard to the impact on the neighbouring property, it is considered that, due to the distances involved, the proposal will not result in an unacceptable degree of overlooking or an overbearing impact. More specifically, there are no windows in the first floor bedroom, only in the lounge above the garage: an acceptable overlooking distance is often considered to be 20 metres (Urban Design Compendium), and in this case 20 metres would go just beyond the boundary (the neighbouring house is more like 40 metres away from this window). Therefore, in this sense the proposal is considered to be in accordance with Policy DP3 of the Winchester District Local Plan Review 2006.

#### Landscape/Trees

There are some trees on the site (mainly yew trees), which would form the side boundary and constitute screening of the proposed development. The applicants stress the potential of these trees to screen the development, but no arboricultural survey and method statement has been submitted to support this.

#### Highways/Parking

As has been stated above, the Highways Engineer has expressed concern about the proposal, and recommended three reasons for refusal (which are listed below, reasons Nos. 5, 6 and 7).

### **Recommendation**

Application Refused for the following reasons:

### **Reasons**

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- 1 The proposal is considered to conflict with Policy CE2, as it diminishes a Local Gap (Winchester - Kings Worthy/Headbourne Worthy).
- 2 It is considered that the proposal fails to accord with Policy H4 of the Winchester District Local Plan Review 2006. More specifically, the proposal fails to comply with all of the criteria outlined in the supplementary planning guidance which outlines the implementation of Policy H4 - Supplementary Planning Document Implementation of Local Plan Infilling Policy (Policy H.4).
- 3 The proposal is considered to be contrary to Policy DP3 of the Winchester District Local Plan Review 2006, as the scale of the proposal is not considered to be appropriate to the context of the site.
- 4 The proposal would create an undesirable precedent which would make it difficult to refuse further similar applications.
- 5 The available length of frontage to School Lane Road is insufficient to enable a satisfactory road junction, with adequate visibility splays to be provided.
- 6 The roads leading to and from the site are of inadequate width to accommodate safely the additional traffic which the proposed development would generate.
- 7 The road leading to and from the site has substandard junctions with Worthy Road, which are inadequate to accommodate safely the additional traffic that the proposed development would generate.
- 8 The proposal is contrary to Policy RT4 of the Winchester District Local Plan Revised 2006 in that it fails to make adequate provision for public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area.

**Informatives:**

The Local Planning Authority has taken account of the following Development Plan policies and proposals:-

Winchester District Local Plan Review 2006: CE2, CE3, CE5, H4, DP3, DP9, RT4  
Supplementary Planning Guidance - Implementation of Local Plan Infilling Policy (H.4)  
Planning Policy Statement 7