



Meeting	Planning Committee
Date and Time	Thursday, 15th August, 2019 at 9.30 am.
Venue	Walton Suite, Guildhall, Winchester

AGENDA

PROCEDURAL ITEMS

1. **Apologies and Deputy Members**

To record the names of apologies given and Deputy Members who are attending the meeting in place of appointed Members.

2. **Disclosures of Interests**

To receive any disclosure of interests from Members and Officers in matters to be discussed.

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.

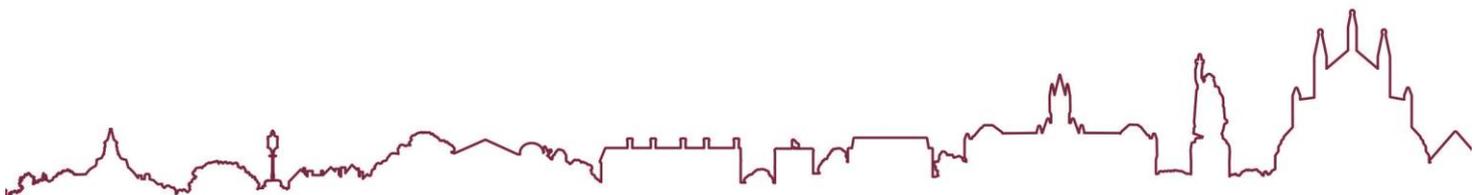
If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting.

3. **Membership of Sub-Committees etc**

To give consideration to the approval of alternative arrangements for appointments to bodies set up by the Committee or the making or terminating of such appointments.

4. **Minutes** (Pages 7 - 16)

Minutes of the previous meeting held on 18 July 2019



Public speaking is allowed on individual planning applications, subject to certain restrictions – please contact the Public Speaking Co-ordinator as soon as possible, but **prior to 4.00pm Tuesday 13 August 2019**, on (01962) 848 339 to register to speak and for further details.

BUSINESS ITEMS

	Report Number	Ward
5. Where appropriate, to accept the Update Sheet as an addendum to the Report.		
6. Planning Applications - WCC Items 7- 9 (PDC1142 and Update sheet refers)		
7. Prospect House, 15 Magdalen Hill, Winchester (Case no. 19/00815/FUL) (Pages 17 - 24)		St Michael
8. Walcote Place, High Street, Winchester (Case no. 19/01205/HOU) (Pages 25 - 32)		St Bartholomew
9. Fishers Cottage, 86 Main Road, Colden Common (Case no. 19/01087/HOU) (Pages 33 - 40)		Colden Common & Twyford
10. Planning Appeals (PDC1143) (Pages 41 - 50)	PDC1143	All Wards

Lisa Kirkman
Corporate Head of Resources and Monitoring Officer

Members of the public are able to easily access all of the papers for this meeting by opening the QR Code reader on your phone or tablet. Hold your device over the QR Code below so that it's clearly visible within your screen and you will be redirected to the agenda pack.



7 August 2019

Agenda Contact: David Shaw, Senior Democratic Services Officer

Tel: 01962 848 221 Email: dshaw@winchester.gov.uk

**With the exception of exempt items, Agenda, reports and previous minutes are available on the Council's Website www.winchester.gov.uk*

MEMBERSHIP

Chair:

Evans (Liberal Democrats)

Vice-Chair:

Rutter (Liberal Democrats)

Conservatives

Cunningham
McLean
Read
Ruffell

Liberal Democrats

Bronk
Clear
Laming

Deputy Members

Brook, Pearson and Scott

Bentote and Gottlieb

Quorum = 4 members



Working in Partnership



THE HUMAN RIGHTS ACT 1998:

Please note that the Human Rights Act 1998 makes it unlawful for the Council to act in a way incompatible with any of the Convention rights protected by the Act unless it could not have acted otherwise.

In arriving at the recommendations to grant or refuse permission, careful consideration has been given to the rights set out in the European Convention on Human Rights including Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 14 (prohibition of discrimination in enjoyment of convention rights) and Article 1 of the first Protocol (the right to peaceful enjoyment of possessions).

The Council is of the opinion that either no such rights have been interfered with or where there is an interference with the rights of an applicant or objector, such interference is considered necessary for any of the following reasons:-

- ◆ The protection of rights and freedoms of others
- ◆ Public safety
- ◆ The protection of health or morals
- ◆ The prevention of crime or disorder
- ◆ The economic well being of the country.

It is also considered that such action is proportional to the legitimate aim and in the public interest.

GENERAL GUIDANCE ON THE WORK OF THE COMMITTEE:

Background

The Planning Committee meets on average once every four weeks. The membership of the Committee is drawn from elected City Councillors.

The Council's Constitution states that the vast majority of applications will be determined by the Planning officers (which are sometimes known as "delegated decisions"). However, if certain criteria are met from the Constitution, some applications (about 5%) are referred to Committee for determination, rather than officers.

As part of the Winchester District includes the South Downs National Park (SDNP), the Committee can also determine applications from this area on behalf of the National Park Authority.

At the meeting

At the start of the Committee meeting, the Chair will introduce the Councillors and officers at the table. Any Councillor's declarations of interest will also be announced at this point. If the interest is considered by the Councillor to be significant, he/she will leave the meeting when it reaches that item on the agenda.

Timing

The Committee considers many applications and scrutinises each one thoroughly. However, to prevent waiting unnecessarily through other people's applications, where work demands it, agendas will be split into morning and afternoon sessions. The morning session will usually start at 9.30am and, where applicable, the agenda will set out those items which the Committee will *not* consider before 2.00pm in the afternoon. Further details are set out below.

The Officer's presentation

On each item, the planning case officer will introduce the application to the Committee. They will concentrate on showing details of the proposals with the aid of projected visual material, including photographs of the site and plans. The length and details of the presentation at the meeting will be proportionate to the nature and scale of the proposal. The officer will make a recommendation to the Committee to either approve or refuse the application and, in the latter case, will state the reasons for this.

The officer is required to make a recommendation and the presentation will include material to explain why the scheme is being recommended for permission or refusal. However, officers will not restate the information set out in the report which relates to the assessment of the planning merits of the case. Specialist officers dealing with

issues such as landscape, design and historic environment may also be available at Committee to provide advice on such matters and a legal representative will attend all Planning Committee meetings.

Public participation:

There will be a period of public participation, as follows:

- Objectors (3 minutes),
- Parish Council representatives (3 minutes),
- Ward Members (local District Councillors)/Cabinet Members (5 minutes),
- and supporters of the application (3 minutes).

The process is controlled by procedures to ensure fairness to both objectors and supporters. To register to speak, please contact the Public Speaking Co-ordinator on 01962 848 339 by 4pm one clear working day before the meeting.

After each speaker's category, there will be an opportunity for the Committee to ask questions of the speakers, if the Committee considers it necessary to clarify any matters of fact that arise.

Aside from this, the Committee will not enter into any further discussion with members of the public.

The names of members of the public etc who have registered to address committee meetings will appear in the minutes as part of the public record, which will be included on the Council's website. Those wishing to address a committee meeting who object to their names being made available in this way must notify the Democratic Services Officer either when registering to speak, or within 10 days of this meeting.

Members' Questions

After the officers' presentation and public participation there will be an opportunity for the Councillors on the Committee to ask questions of the officers.

The Councillors' Debate

The Councillors will then debate the application and may pick up any issues raised during public participation before a vote is taken to either;

- permit,
- refuse or

- defer (usually for a site visit or for further information). If a site visit is required then the item will usually be deferred to the next meeting of the Committee to allow it to be reconsidered after the site visit has been held.

If the Committee votes against the officer's recommendation, the reasons for this will be discussed and explained. Usually the precise wording for the reasons for refusal will be delegated to the Development Manager in consultation with the Chair. A summary of the Committee's reasons will be included in the minutes.

Voting:

Every Member has one vote when a matter before the meeting requires a decision. In the event of an equality of votes, the Chair may exercise a casting vote and that vote may be cast in any way they wish.

A Member may abstain from voting, or vote differently from how they may have indicated during the debate, without further explanation. The way each Member voted will not be recorded in the minutes, unless a motion to have a Recorded Vote has been passed.

After the meeting

After the meeting, the minutes will be available from the Council's website and a decision notice will be sent to the applicant/agent. Applicants have a right of appeal against a Committee decision to refuse planning permission, or any conditions imposed on permission, and any appeal will be considered by an Inspector appointed by the Secretary of State. Where an application has been permitted, there is no opportunity for objectors to appeal, other than to the Court by way of judicial review on a point of law.

DISABLED ACCESS:

Disabled access is normally available, but please phone Democratic Services on 01962 848 264 or email democracy@winchester.gov.uk to ensure that the necessary arrangements are in place.

Public Document Pack Agenda Item 4

PLANNING COMMITTEE

Thursday, 18 July 2019

Attendance:

Councillors
Evans (Chair)

Bronk
Clear
Cunningham

McLean
Read
Ruffell

Deputy Members:

Councillors Bentote (as deputy for Rutter) and Gottlieb (as deputy for Laming)

Others in attendance who addressed the meeting:

Councillors: Cook, Craske and Gordon- Smith

Apologies for Absence:

Councillors Rutter and Laming

1. APPOINTMENT OF VICE-CHAIR FOR THE MEETING

RESOLVED:

That Councillor Clear be appointed Vice Chair for the meeting.

2. DISCLOSURES OF INTERESTS

Councillors Evans declared a personal (but not prejudicial) interest in respect of Item 14 (The Well House, Bridge Lane, Shawford) as she was the Council's appointed representative on the South Downs National Park Authority and she spoke and voted on this item as she had not had any involvement in the Council's planning comments.

Councillor Bronk declared a personal (but not prejudicial) interest in respect of Item 9 (The Green, Moors Close, Colden Common) as one of the residents in the Close had delivered Liberal Democrat election literature on his behalf and he stepped down from the Committee for consideration of this Agenda Item and did not speak or vote thereon.

Councillor Bronk also declared a personal (but not prejudicial) interest in respect of Items 8 (Brown Eaves, 170 Main Road, Colden Common) and 10 (Morelands, Copse Farm, Hensting Lane, Fishers Pond) as a Ward Councillor he had been approached by and discussed with residents these applications and had sat in

on the Colden Common Parish Council Planning and Transport Committee that considered Item 10. He had expressed no opinion on their merits and had not predetermined his position on these items and he spoke and voted on these applications.

Councillor Ruffell declared a personal (and prejudicial) interest in respect of Item 10 (Morelands, Copse Farm, Hensting Lane, Fishers Pond) as the exit road for the application site could affect his personal residence and he stood down from the Committee for this application and left the room and did not speak or vote thereon.

Councillor McLean declared a personal (but not prejudicial) interest in respect of Item 1 (development land, Malt Lane, Bishops Waltham) as he was a Ward Member, but he had not discussed the application and he spoke and voted on the application.

3. **MINUTES**

RESOLVED:

That subject to under Declarations of Interest under item 7 (Land adjacent to Brookfield, Hazeley Road, Twyford) Councillor Bronk being shown as a member of Twyford Parish Council (and not Colden Common and Twyford Parish Council) and that he knew the applicant and his agent as well as the objector and that in addition, under item 17 (land off Burnett Lane, Kings Worthy), the reference to King Bishop Walk should refer to Kim Bishop Walk, the minutes of the meeting held on 20 June 2019 be approved and adopted.

4. **WHERE APPROPRIATE, TO ACCEPT THE UPDATE SHEET AS AN ADDENDUM TO THE REPORT.**

The Committee agreed to receive the Update Sheet as an addendum to Report PDC1140.

5. **PLANNING APPLICATIONS (PDC1140 AND UPDATE SHEET REFERS)**

A copy of each planning application decision is available to view on the Council's website under the respective planning application.

Applications outside the area of the South Downs National Park (WCC):

6. **DEVELOPMENT LAND MALT LANE BISHOPS WALTHAM (CASE NO: 18/00170/FUL)**

Item 7. Full planning application for the erection of 28 apartments, five ground floor retail units (Use Classes A1/A2/A3), a replacement NHS Facility (Use Class D1) and a replacement Youth Hall (sui generis) following the demolition of the existing buildings

Development Land, Malt Lane, Bishops Waltham

Case number: 18/00170/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out a further reason for refusal (reason 7) to reflect the fact that the development did not provide a suitable mix of housing which was contrary to policy CP2 of the Winchester Local Plan Part 1, due to the lack of any 3 bed dwellings.

During public participation, Vivienne Jury and Councillor Robert Shields (Bishops Waltham Parish Council) spoke in objection to the application and all answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons set out in the Report and the Update Sheet.

7. **BROWN EAVES, 170 MAIN ROAD, COLDEN COMMON (CASE NO: 19/01049/HOU)**

Item 8: Retention of existing outbuilding in incidental use to the main dwellinghouse following internal and external alterations.

Brown Eaves, 170 Main Road, Colden Common

Case number: 19/01049/HOU

The Service Lead Built Environment referred Members to the Update Sheet which set out an amendment to Condition 2 to read: The development shall be maintained in its current form, as shown in plan ref. 070519 1A3 and at no time shall additional doors, windows, internal sub-divisions or domestic facilities be introduced. Reason: To ensure that the use of the building remains incidental to the dwelling house.

During public participation, Councillor Pam Glasspool (Colden Common Parish Council) spoke in objection to the application and answered Members' questions thereon.

During public participation, Councillor Cook spoke on this item as Ward Member.

In summary, Councillor Cook stated that:

- The application site had a long planning history and this application was retrospective.
- She had been contacted by local residents.
- The outbuilding gave the appearance of two properties and not one.
- The removed door, internal walls and lessening in the roof height could be reintroduced.
- The applicant had been treated fairly.
- It had affected the neighbours at Tanglewood as trees had been removed, there had been burning on site, light intrusion and drainage problems.
- The outbuilding had minimal service access.
- The outbuilding should have been demolished on 15 May 2019 (following the earlier Planning Inspector's decision).

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and

the Update Sheet, subject to the inclusion of an additional informative (no 4) that the application site be subject to proactive monitoring by the Council's Planning Enforcement Team.

8. **THE GREEN, MOORS CLOSE, COLDEN COMMON (CASE NO: 19/00896/FUL)**

Item 9: Proposed Car Park

The Green, Moors Close, Colden Common

Case number: 19/00896/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out an additional Informative (no 4) relating to the hours of construction.

During public participation, Mr Izard (Chair of Colden Common Parish Council) spoke in support of the application and answered Members' questions thereon. At the invitation of the Chair, Michelle Surtees, Housing Officer (Estate Improvements) answered questions from Members.

During public participation, Councillor Cook spoke on this item as Ward Member.

In summary, Councillor Cook stated that:

- The Council had engaged and consulted on the proposal and the Housing Officer was thanked for their work.
- There were 16 residents in favour and 7 against.
- There was presently a lack of car parking spaces.
- Part of the green would be retained.
- Parking problems were most severe on evenings and weekends.
- The properties in the Close had good sized gardens and a play area was close by.
- The proposal would enhance the area and would add safety.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and informatives set out in the Report and the Update Sheet.

9. **MORELANDS COPSE FARM, HENSTING LANE, FISHERS POND (CASE NO: 19/00781/FUL)**

Item 10: Change of use from equestrian use as part of the former Hampshire Riding Therapy Centre to class B1(a) use; including removal of existing redundant buildings, alterations/improvements to the external appearance of retained buildings and provision of enclosures for external plant associated with the heating and cooling of the building. Morelands Copse Farm, Hensting Lane, Fishers Pond. Case number: 19/00781/FUL.

The Service Lead Built Environment referred Members to the Update Sheet which set out additional conditions following a Bat survey: (conditions 11 regarding external lighting and 12 regarding bird/bat nest boxes and roost boxes and ecology matters).

During public participation, Roger Grimshaw spoke in objection to the application and James Everton (applicant) spoke in support of the application and all answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and informatives set out in the Report and the Update Sheet.

10. **HAZELWOOD, 29 DOWNSIDE ROAD, WINCHESTER (CASE NO: 19/00922/FUL)**

Item 11: Application Reference Number: 18/02454/FUL Date of Decision: 10/01/2019 Condition Number(s): Condition 2 (Approved Plans)
Amend approved plans condition to reflect proposed changes to some elevations and repositioning of dwellings within the plot
Hazelwood, 29 Downside Road, Winchester
Case number: 19/00922/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out details of an updated Site Plan 7462-D100 submitted 17 July 2019 and amendments to Condition 3 relating to the use of the integral garage space in Plot 2 and the additional roofspace to be created in Plot 3 to accord with the terms of the application and to ensure that the development remained compliant with Policy CP2 of the Local Plan Part 1.

In addition, the Service Lead Built Environment gave a verbal update that Permitted Development Rights classes A, B and C of the General Permitted Development Order of the Town and Country Planning Act be removed in line with the existing permission.

During public participation, Tim Spencer spoke in objection to the application and Jim Bevan (agent) spoke in support of the application and all answered Members' questions thereon.

During public participation, Councillor Craske spoke on this item as a Ward Member.

In summary, Councillor Craske gave an outline of the planning history of the site and the actions of the applicant in respect of planning policies and stated that:

- The integral garage space (in Plot 2) now had a window and door and could be converted in to living space.
- The application site now had two 4/5 bed houses and a 2 bed roomed house.
- Highway issues and the ability of vehicles to enter the site; turn and leave in a forward gear.
- That permitted development rights be removed and previous conditions should be enforced.
- Better solutions were required.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet and the additional condition that Permitted Development

Rights classes A, B and C of the General Permitted Development Order of the Town and Country Planning Act be removed in line with the existing permission.

11. **OLD SHEEP FAIR, THE LONG BARN, BISHOPS SUTTON ROAD, ALRESFORD (CASE NO: 19/00619/FUL)**

Item 13: Variation of condition 2 of planning permission 13/02145/FUL (Amended).

Old Sheep Fair, The Long Barn, Bishops Sutton Road, Alresford

Case number: 19/00619/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out a further objection received on 16 July 2019 from Ian Ellis, Southern Planning Practice, in response to the officer's Committee report. The main considerations within this letter are set out below:

- The objection raised concerns with the fact that the application was not re-advertised and that a new public consultation period was not instigated following the submission of the applicant's retail impact assessment.
- There were concerns that the summary of objection and support comments within the officer report was inaccurate and that the number of objections had been unfairly represented.
- It was felt that the outdoor display areas should not be included within the total retail floor space as they were not subject to condition 2 of the 13/02145/FUL. The objector suggested that the application should be withdrawn until the above points were addressed.

Further, in the section of the Update Sheet headed 'Consultations':

The City Council's Economic Team were consulted on the application and submitted an objection to the proposal. Following this objection, and following suggestions contained within the economic response, further retail studies had been commissioned by the applicant which demonstrates that there was no evidence which suggests Long Barn is detrimental to the local businesses within New Alresford Town Centre.

It has not been possible to arrange a follow up meeting with the City Council's Economic Team since the new retail information had been submitted due to staff holidays. However, the information had been assessed by the officer and the City Council's Strategic Planning Team and it was considered to overcome the previous economic objection to the application.

During public participation, Ian Ellis (Southern Planning Practice) Simon Evans and Stephen Glaister spoke in objection to the application and Daniel Wiseman (Agent) spoke in support of the application and all answered Members' questions thereon.

In his statement Mr Evans informed the meeting that he had been asked to make a declaration on behalf of Councillor Griffiths who was unable to make any

representation today regarding the Long Barn application. She owned a property adjacent to Long Barn which created a Disclosable Pecuniary and potentially Prejudicial Interest.

During public participation, Councillor Gordon-Smith spoke on this item as Ward Member.

In summary, Councillor Gordon-Smith raised the points that:

- He was making representation on behalf of Councillor Power, fellow Ward Member, who could not be in attendance.
- The application had a large number of objectors and supporters.
- The Local Plan aimed to protect the countryside, Market towns and rural development and to approve the application would set a precedent and the impact on businesses (in Alresford Town) and would question the validity of the Local Plan.
- Local Plan Policy MTRA1 referred to appropriate scale and expansion of rural shops - the Long Barn was already too big, situated between properties and was too far from the Town.
- Local Plan policy MTRA2 concentrated retail in existing settlement boundaries unless it was shown to be needed by the community and be appropriate in scale.
- Development outside of the settlement boundary had to demonstrate need or aspiration.
- The effect of hours of operation was increased by the mail order business.
- Local Plan Policy MTRA4 and the need for selling products such as food, homeware and jewellery in a countryside location when these items were sold in Alresford.
- Its nature and scale was disproportionate to its setting.

At the conclusion of debate, the Committee agreed to grant permission for the reasons and subject to the conditions and informatives set out in the Report.

12. **THE WELL HOUSE, BRIDGE LANE, SHAWFORD (CASE NO: 18/02792/FUL)**
Item 14: Demolition of existing building with replacement dwelling
The Well House, Bridge Lane, Shawford
Case number: 18/02792/FUL

The Service Lead Built Environment referred Members to the Update Sheet which set out additional supporting information submitted by the applicant on 17 July 2019.

During public participation, Jeremy Higgins spoke in objection to the application and Andy Ramus (architect) spoke in support of the application and all answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons set out in the Report.

Applications inside the area of the South Downs National Park (SDNP):

13. **OLD SCHOOL HOUSE, CHILCOMB (CASE NO: SDNP/19/01840/FUL)**
Item 15: Erection of a new dwelling
Land adjacent to The Old School House, Church Lane, Chilcomb, Winchester
Case number: SDNP/19/01840/FUL

During public participation, Rolf Hawkins spoke in objection to the application and Ian Ellis (agent) spoke in support of the application and answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission for the reasons and informatives set out in the Report subject to an additional reason for refusal regarding policy SD5 of the South Downs National Park Local Plan due to the proposal's adverse impact on the character of the area

14. **LAND OFF FOLLY HILL LANE, ITCHEN STOKE, ALRESFORD (CASE NO: SDNP/19/02218/FUL)**
Item 16: Alterations to existing agricultural access and reinstatement of an agricultural track
Land Off Folly Hill Lane, Itchen Stoke, Alresford
Case number: SDNP/19/02218/FUL

During public participation, Stephen Drake and David Cook (Chairman Itchen Stoke and Ovington Parish Council) spoke in objection to the application and Richard Osborn (Agent) spoke in support of the application and all answered Members' questions thereon.

At the conclusion of debate, the Committee agreed to refuse permission in accordance with policies SD4, SD5 and SD7 of the South Downs National Park Local Plan due to the proposal's adverse impact on the landscape character of the area and the adverse impact on the amenity of neighbours as it was a domestic access with the precise wording delegated to the Service Lead Built Environment in consultation with the Chair.

15. **TREE WORKS IN A CONSERVATION AREA - MEADOW BANK, WOODMAN LANE, SPARSHOLT (FOR INFORMATION)**
Item 17: T1 - Golden Leynaldii - Remove at ground level
Meadow Bank, Woodman Lane, Sparsholt
Case number: 19/01050/TPC

At the conclusion of debate, the Committee agreed to note the decision made.

RESOLVED:

That the decisions taken on the Planning Applications in relation to those applications inside and outside the area of the South Downs National Park be agreed as set out in the decision relating to each item, subject to the following:

- (i) That in respect of item 8 (Brown Eaves, 170 Main Road, Colden Common) permission be granted for the reasons and subject to the conditions and informatives set out in the Report and

the Update Sheet subject to the inclusion of an additional informative (no 4) that the application site be subject to proactive monitoring by the Council's Planning Enforcement Team.

(ii) That in respect of item 11 (Hazelwood, 29 Downside Road, Winchester) permission be granted for the reasons and subject to the conditions and informatives set out in the Report and the Update Sheet and the additional condition that Permitted Development Rights classes A, B and C of the General Permitted Development Order of the Town and Country Planning Act be removed in line with the existing permission.

(iii) That in respect of item 15 (Old School House, Chilcomb) permission be refused for the reasons and informatives set out in the Report subject to an additional reason for refusal regarding policy SD5 of the South Downs National Park Local Plan due to the proposal's adverse impact on the character of the area.

(iv) That in respect of item 16 (Land off Folly Hill lane, Itchen Stoke, Alresford) permission be refused in accordance with policies SD4, SD5 and SD7 of the South Downs National Park Local Plan due to the proposal's adverse impact on the landscape character of the area and the adverse impact on the amenity of neighbours as it was a domestic access with the precise wording delegated to the Service Lead Built Environment in consultation with the Chair.

The meeting commenced at 9.30am, adjourned between 1.25pm and 2.15pm and concluded at 5.15pm.

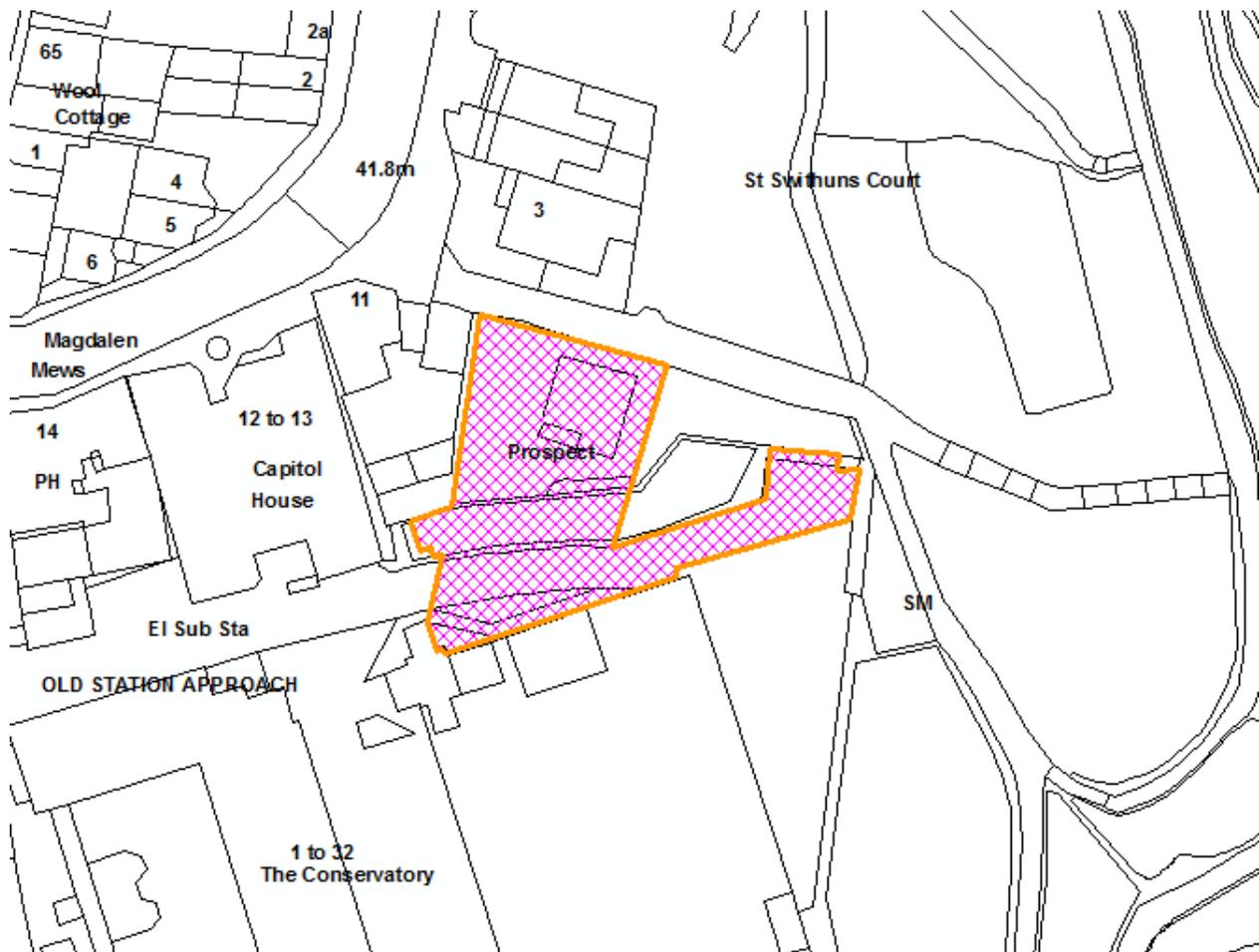
Chair

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WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/00815/FUL
Proposal Description: Proposed development of 3x3 bed dwellings an 1x2 bed dwelling following the removal of Prospect House.
Address: Prospect House 15 Magdalen Hill Winchester SO23 0HJ
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Mr Kevan Netherwood
Case Officer: Mrs Megan Osborn
Date Valid: 9 April 2019
Recommendation: Application Refused



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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Application is reported to Committee due to the number of support representations, received.

Site Description

The proposed site is located off Bridge Street at the end of a public footpath to St Giles Hill. It is located within the City centre of Winchester, and within Winchester's Conservation Area.

The building is located on a pedestrian lane in an area which contains many older properties, including nearby Grade II listed building, the Rising Sun freehouse, the Grade II listed building the Chesil Rectory and St Johns Church (the oldest parish church in Winchester) to the north.

The buildings surrounding the proposed site includes a mixture of residential and commercial properties, with a mixture of architectural designs.

The site fronts on to the public footpath to the north and has a group of trees within the site to the south of the dwelling.

Proposal

The proposal is for the demolition of the existing dwelling on the site and replacement with four dwellings, 3x3 bed and 1x2 bedrooms.

Relevant Planning History

89/01846/OLD - Single storey extensions. PER 14th March 1989.

Consultations

Engineers: Drainage:

No objections

Engineers: Highways:

Comment regarding the parking, access and cycle storage.

Head of Historic Environment:

Objections due to the loss of a building in the Conservation area and the loss of a historical asset.

Urban Design:

No further information as been submitted to address my previous concerns, which related to how the scheme relates to its setting from distant views such as from Bridge Street; and, by that, demonstrate how the proposed roof form and materials make a positive contribution to local character and distinctiveness. And how the application was to ensure that the proposal does not adversely affect the adjacent buildings in terms of overshadowing and/or overlooking. In the absence of these details it is advised the application should be refused due to insufficient information.

Head of Landscape:

Concerns raised regarding the siting under the trees.

Southern Water:

No objections.

Case No: 19/00815/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Representations:

City of Winchester Trust: Objection – The application does not provide justification for the demolition of Prospect House also the proposed dwellings are not regarded as an acceptable development in the architectural character of the Conservation Area. There are specific concerns regarding the large black white wall at the top of the terrace. The Trust also has concerns relating to the existing trees on the site and their survival rate if this application were allowed.

19 representations, objecting to the application for the following reasons:

- This is an historical building within a Conservation Area and the demolition should be refused.
- The proposed dwelling would result in overbearing and overshadowing.

6 representations, supporting the proposal for material planning reasons including:

- Sustainable location
- The dwellings are needed in Winchester City Centre

Relevant Planning Policy:

Local Plan Part 1 - Joint Core Strategy

CP2, CP3, CP13, CP16, CP20

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations:

DM15, DM16, DM17, DM23, DM24, DM26, DM27, DM28, DM31

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Planning Considerations

Principle of development

The site is located within the development boundary of Winchester where the principle of new dwellings in this area is acceptable subject to meeting Development plan policy.

The site is located within Winchester's Conservation Area, the principle of demolition of this dwelling is considered unacceptable in relation to policy CP20 of the LPP1 and DM27, DM28 and DM31 of the LPP2 in that it results in the loss of a non designated Heritage Asset in the Conservation Area.

The proposal is for four dwellings, 3x3 bed and 1x2 bedrooms which is compliant with policy CP2 which requires the majority of homes to be in the form of 2 and 3 bedroom houses.

Design/layout

The existing dwelling is a single property located to the north of the site fronting onto the footpath to the north of this leading up the St Giles Hill. The site is well vegetated with trees within the site that form part of the character of this site. The proposed dwellings are contemporary nature with render and timber cladding at first floor level and brick at ground floor. The four dwellings step up the hill with the existing slope with access to

Case No: 19/00815/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

the dwellings through the existing brick and flint wall to the north. Although a contemporary approach for this site could be acceptable, the design and appearance of the proposed replacement dwellings is considered unacceptable with insufficient analysis having been undertaken which would inform the approach to be taken. The front elevation detailing is incongruous in the area failing to respond or contribute to the special qualities of the Conservation Area or what is locally distinctive.

The proposed buildings are built very close to the pathway named Magdalen Hill, resulting in an oppressive form of development, and crammed on to the site with no space surrounding the building to the east. The applicant owns the section of land to the east but that is not included in the red line of the application. There is a level change to the east, which would result in a significant retaining wall being needed to the east or the buildings being built up. There is a series of fences proposed perched up high on a bank for the garden areas. This would add to the cramped nature of the site and is a poor response to the topography. The cramped nature of the site is further accentuated by the trees to the rear of the site, which would result in a significant amount of overshadowing over the rear gardens of the proposed dwellings on this site.

When looking at the eastern elevation, this shows a large blank elevation of white render with no articulation, which would result in an unattractive feature in the Conservation Area. In addition to this the roof form of the proposed dwelling will appear visually unacceptable in relation to the views of the site from the east and the west. Neither views have been assessed fully in a contextual analysis of the area especially from wider view points such as Bridge Street and from views from surrounding areas in St Giles Hill. Reason for refusal 3 is therefore recommended to reflect this.

Impact on character of area

Prospect House, 15 Magdalen Hill is an unlisted building located in a prominent position in the middle of the St Giles Hill / Eastern Suburb area of the Winchester Conservation area. Although unlisted, the building is a good surviving example of a Victorian station masters cottage and it makes a positive contribution to the Winchester Conservation area. The building is also of sufficient quality in terms of its architectural and historic interest and contribution to the Conservation Area to be considered to be a non-designated heritage asset which is a material planning consideration as defined in NPPF.

Prospect House is constructed in brick under a clay tiled roof. The building has a number of attractive decorative features, such as a dentil string course between the first ground and first floors, rounded brick arches to the windows on the ground floor and a prominent decorative corbeled barge boards to the eastern and western elevations. The boundary wall to the front of the building is an attractive brick and flint wall and also makes a positive contribution to the overall character of the Conservation Area. The building is located in an a part of the Conservation Area that marks the transition between the more urban feel of the area around Bridge Street and Chesil Street and the more verdant feel of the St Giles Hill area and the building makes almost acts as a gateway between the two areas and makes an important contribution to the streetscape.

In addition this application results in the loss of sections of the historic wall to the front of the site, which also forms part of the character of the Conservation Area. The puncturing of this wall would result in irreversible damage to the wall for which it forms part of the character of the area.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

In addition, the building has historic associations with the now closed Didcot, Newbury and Southampton Railway. It was the original station masters house for Winchester Cheesehill (Chesil) Station that opened in 1885 as part of the second phase of the construction of that particular railway. Buildings associated with this particular railway line are rare as the line itself was never a commercial success and closed completely in 1960, well before the publication of Beeching's "The Reshaping of the British Railways".

The existing building is considered to be a non-designated heritage asset both in terms of its architectural and historic importance and its historic associations. In addition, the building makes a positive contribution to the streetscape and the overall character of the Winchester Conservation area. Consequently, it is recommended that the current application be refused as it will cause harm to the character of the non-designated heritage asset and the overall character of the Conservation Area and is at odds with both local and national planning guidance.

NPPG Historic Environment para 019 notes that if an unlisted building that makes a positive contribution to a Conservation Area is important or integral to the character or appearance of the Conservation Area then its proposed demolition is more likely to amount to substantial harm to the Conservation Area, engaging the tests in paragraph 195 of the National Planning Policy Framework. The justification for a building's proposed demolition will need to be proportionate to its relative significance and its contribution to the significance of the Conservation Area as a whole. The proposal is therefore recommended for refusal reason 01 in line with para 195 of NPPF, and LPP2 DM28 and DM31 as the proposal will lead to substantial harm of the Conservation Area as Heritage Asset and the total loss of significance of an undesignated heritage asset. It has not been demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Impact on neighbouring property

Although the windows have been designed to avoid any overlooking towards neighbouring properties, the new dwellings may result in an unneighbourly impact in terms of overbearing and overshadowing towards neighbouring amenities to the north. The proposed dwellings are moving closer than the existing dwelling and although the height of the dwellings are no more than the existing, the previous dwelling had a sloping roof which sloped away from St Swithuns Court to the north. These dwellings project right up to the front of the plot with no roof sloping away and therefore the proposal will have a high potential to have an overbearing and over shadowing impact. No sections or sunlight surveys relating to the area have been submitted as part of the application but it is considered that the proposed building will result in a materially harmful impact on the amenities of the neighbouring properties to the north in terms of overbearing and overshadowing.

Landscape/Trees

Trees are important elements of green infrastructure and are a material consideration of the UK planning system. The site is within a Conservation Area and therefore the trees are protected by virtue of being in a Conservation Area.

There are number of large, notable, mature trees located on southern boundaries. Trees are naturally growing and shedding organisms. Leaves of some species can cause problems, particularly in the autumn, by blocking gullies and gutters. Fruit can cause slippery patches, and accumulation of honeydew can be damaging to surfaces

Case No: 19/00815/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

and vehicles.

The pedestrian access and gardens to the rear of the dwellings do not respond well to the site and is likely to lead to future pressure to prune or remove trees which make a positive contribution and offer amenity to the local landscape. This is contrary to core planning principals (section 17) of the National Planning Policy Framework which seeks to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings. Accordingly the proposal would be contrary to criteria (v) of policy DM15 of the adopted Winchester District Local Plan Part 2, 2017.

Highways/Parking

Although this is a sustainable location it is considered that the proposal doesn't meet the City Council's Residential Parking Standards and notwithstanding this, the parking spaces that are provided (4 spaces to the rear of the proposed houses) are inconvenient and unsafe for uses of the dwellings to assess. The proposed parking is to the rear of the proposed dwellings on land which is dark and due to the significant level changes surrounding it. Residents of the dwellings would have to access the parking via a convoluted pathway with steps up the bank towards the four dwellings and therefore would result in a very inconvenient access to the parking area. The poor location for the proposed parking further demonstrates that the dwellings cannot be properly accommodated on the site especially as it a sloping site. Reason for refusal 6 recommends refusal on this matter.

Nitrate levels

This application results in a surplus nitrate level and there is no mitigation possible, however as this application is recommended for refusal then no mitigation is required if the new housing is not permitted.

Archaeology

The proposal site lies towards the foot of St Giles Hill, within the historic eastern suburb of Winchester. Although the site lies to the east of the area of the Roman cemetery, it is close to the East Gate of the Roman town and to previously identified Roman remains in the eastern suburb; these include several Roman pits, at least one possibly a lime kiln found to the south of the site.

The eastern suburb also contains evidence for Late Saxon occupation and activity and several high status medieval buildings are located on Magdalen Hill. Three 19th century clay pipe kilns have also recently been excavated to the west of the proposal site. Further information on these and wider background to the proposal site are provided in an Archaeological Desk-Based Assessment (DBA) submitted as part of the application (Groundworks Archaeology, March 2019, Archaeological Desk Based Assessment Prospect House, Magdalen Hill, Winchester).

Given its location, the proposal site may contain buried archaeological remains, as concluded in Section 11 of the Archaeological DBA. Any such remains may be disturbed by groundworks associated with the proposal, arising from construction groundworks and related services, drainage and landscaping works).

Whilst this does not present an overriding concern, a programme of archaeological work to investigate, record analyse and subsequently report on the archaeological evidence that would otherwise be destroyed by the proposed development. Therefore if the

Case No: 19/00815/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

application is refused the as suitable reason for refusal will need to be attached on the decision (reason 5).

Conclusion

In conclusion the alterations to the demolition of the existing building and the development of the site for four dwellings is considered to be unacceptable and therefore contrary to policy CP20 of the Winchester District Local Plan Part 1, policy DM27, DM28, DM31, DM15, DM16, DM17, DM18 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations and SPD - High Quality Places.

Recommendation

Application Refused for the following reasons:

01 The proposed demolition of the building and puncturing of the front wall are contrary to paragraph 195 of the NPPF, Local Plan Part 2 policies DM28 and DM31, and CP20 of Local Plan Part One, in that it would lead to substantial harm of the Conservation Area as a Heritage Asset and the total loss of significance of a building, which has been determined to be an undesignated heritage asset contributing significantly to the character and appearance of the street scene of this part of the Conservation Area. It has not been demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

02 The development proposed is contrary to policies CP13 and CP20 of the Winchester District Local Plan Part 1, policies DM15, DM16, DM17, DM27 of the Winchester District Local Plan Part 2 and the Winchester District High Quality Places supplementary planning document in that, it fails to respond positively to the local environment through a contextual approach and would, by reason of its siting, size, height, scale, design and appearance, and loss of space to the front of the building, result in a form of development which would create a cramped and incongruous intrusion in the street scene. The proposal will therefore have a materially harmful impact on the character and appearance of the surrounding area, failing to conserve the special interest of the Conservation Area thereby leading to the substantial harm of it as a Heritage Asset.

03 The proposed development by reason of its proximity and relationship to the trees (protected by virtue of them being in a Conservation Area) to the south of the site would be likely to result in future pressure for the pruning of those trees to the detriment of their amenity value and the visual amenities of the surrounding area. It would therefore be contrary to policies CP20 of Winchester District Local Plan Part 1 and DM15 and DM24 of Winchester District local Plan Part 2.

04 In the absence of adequate information demonstrating the relationship between the proposed dwelling and the buildings opposite, the proposal is contrary to policy DM17 of the Winchester District Local Plan Part 2 in that the proposed replacement dwellings will likely result in an overshadowing and overbearing impact on the houses and amenity space of St Swithuns Court, to the detriment of their amenities.

05 The proposal fails to make provision for a programme of archaeological mitigation work which would ensure that information deriving from heritage assets present within the site is preserved for future generations in line with Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy and the NPPF.

Case No: 19/00815/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

06 The proposal fails to provide sufficient, safe and accessible parking spaces for the proposed dwellings and therefore is contrary to policy DM18 of the Winchester Local Plan Part 2.

Informatives:

In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was updated of any issues after the initial site visit.

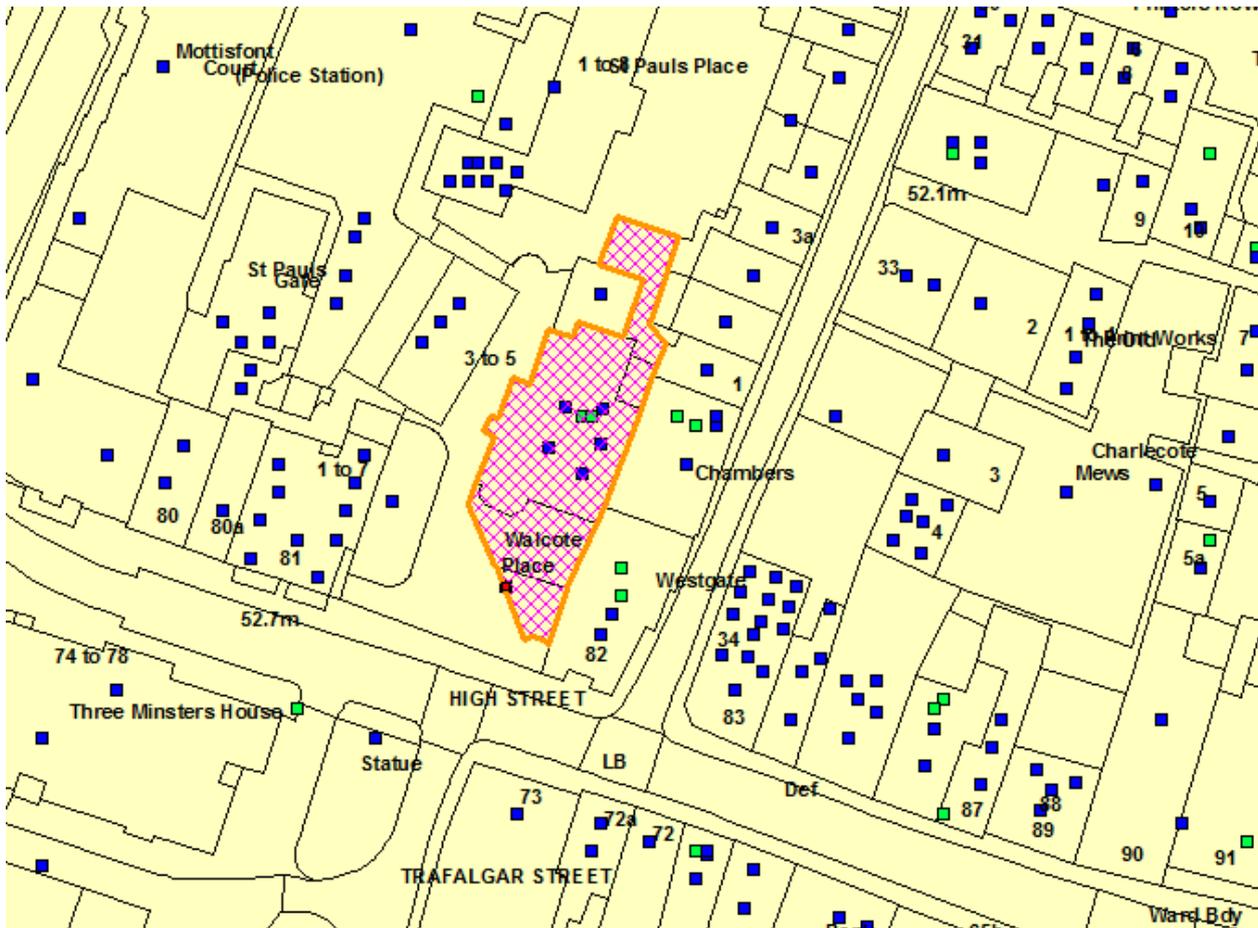
02. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 - Joint Core Strategy CP2, CP3, CP13, CP16, CP20

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations:
DM15, DM16, DM17, DM23, DM24, DM26, DM27, DM28, DM31

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/01205/HOU
Proposal Description: Single storey side extension to existing residential property.
Address: Walcote Place High Street Winchester SO23 9AP
Parish, or Ward if within Winchester City: St Bartholomew
Applicants Name: Mr Josh Mathias
Case Officer: Curtis Badley
Date Valid: 4 June 2019
Recommendation: Application Permitted



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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Application is reported to Committee due to the number of comments contrary to the Officer's recommendation.

An application for listed building consent with reference: 19/01206/LIS is currently also under consideration in conjunction with this householder application.

Site Description

Walcote Place is a Grade II Listed building located within the Central Winchester Conservation Area, set back from the High Street. The building was originally a dwelling built in the mid 18th Century that was converted into office use and has since been converted back into residential with 3 apartments.

The proposed development is sited within the rear courtyard which serves number 1 Walcote Chambers. The front of the house is accessed from Walcote Place, a pedestrian passageway which links Cross Street with High Street and rear access is made from a staircase which passes to the North of the adjoining retail unit, 6 Walcote Place into the side courtyard.

The property has two en-suite bedrooms which are located on the first floor and within the ground floor exists a lounge, kitchen and WC. Whilst the site lies relatively level, the property and adjoining side courtyard, which forms the sole private amenity space for this property, is set at a lower elevation in comparison to Cross Street with levels in the surrounding area rising to the North West.

Proposal

The proposal seeks to replace the existing lean to timber structure which exists within the side courtyard with a brick built single storey side extension, continuing to serve the private residential property, Walcote Place.

The proposal is of a similar scale and positioning in comparison to the existing timber lean to structure and is separated from the existing neighbouring apartment to the South by a narrow passageway accessed by a rear door (retained as a maintenance gap).

The proposed extension would be brick built with a mono pitch lead roof and roof lights placed alongside the existing side elevation. The extension includes Crital style windows and doors within the North elevation facing the courtyard.

Relevant Planning History

13/02730/FUL (PER – 23.06.2014) Conversion of existing building into 1no. house and 3no. apartments with 4no. parking spaces (AFFECTS THE SETTING OF A LISTED BUILDING) (RESUBMISSION)

13/02794/LIS (PER – 23.06.2014) Conversion of existing building into 1no. house and 3no. apartments with 4no. parking spaces

Case No: 19/01205/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Consultations

WCC Historic Environment: No objection

Pre-application advice was given and has been taken on board as part of the current proposals through the reduction of the eaves height and by providing a simpler detail to the northern elevation. The proposed extension is modest in scale, subservient to the existing building and would not result in the loss of historic fabric. The proposals are concluded not to harm the character or appearance of the conservation area and no objection is raised subject to a detailed material condition (attached).

Representations:

City of Winchester Trust:
No Comment

7 letters received objecting to the application for the following material planning reasons:

- Not in keeping with grade II listed building and surrounding conservation area
- Overbearing, overshadowing and overlooking upon neighbouring properties within Staple Gardens
- Reduce amount of light and outlook of neighbouring properties
- Overdevelopment of existing small open area
- Produce additional light spill at night
- Non compliance with guidance set out in the High Quality Places Supplementary Planning Document and the National Planning Policy Framework

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy (2013)

DS1 – Design Strategy and Principles
CP13 – High Quality Design
CP20 – Heritage and Landscape Character

Winchester Local Plan Part 2 – Development Management and Site Allocations (2017)

DM15 – Local Distinctiveness
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM27 – Development in Conservation Areas
DM28 – Demolition in Conservation Areas
DM29 – Heritage Assets

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

High Quality Spaces (2015)

Case No: 19/01205/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Planning Considerations

Principle of development:

The development falls in land designated in the settlement boundary of Winchester, where the principle of residential development is generally acceptable, where it can be carried out in accordance with national and local planning policy and without harm to the character and appearance with the surrounding area or the amenities of neighbouring properties.

Design/layout:

The proposal seeks to construct a simple, modern lean to extension which is designed to largely match the existing position, scale and roof pitch of the existing lightweight timber structure with a glazed lean to roof. The proposal is separated from the existing neighbouring apartment to the South by a narrow maintenance gap and is built adjacent to the property boundary with Westgate Chambers and 1 Staple Gardens to the East.

The extension is subservient to the existing dwelling house and enables a sufficient extent of external amenity space to be retained to the North, leaving the external access unaffected. The extension by virtue of its simple form and use of high quality materials is considered to be in keeping with the existing property and surrounding historic context.

The proposal is therefore considered to comply with policies CP13 (LPP1) and DM16 (LPP2) which seek, among other objectives, to ensure that development responds positively to the local environment in terms of its design, scale and layout and use high quality materials which are attractive, durable and appropriate in their context.

Impact on character of area:

The built form of the existing and adjacent buildings and the relative increase in surrounding site levels is considered to effectively obscure the proposal from being widely visible from the surrounding conservation area. The proposal would not be visible until within the vicinity of the immediate site and as a result, the proposed development is considered to respect the qualities and character of the conservation area, in compliance with policies DM15 and DM27 of the WD Local Plan Part 2.

Impact on neighbouring amenity:

As a result of the conversion back into residential units, a large rear window of an apartment within this building (indicated to be Plot 2) is in close proximity to the proposed extension. This window is currently used as an en-suite bathroom and has been internally screened to remove any overlooking impact from the existing patio area of Walcote Place. As a result of the proposed alteration and ancillary use of this room, the provision of a maintenance gap (0.9m) is considered to be sufficient to allow some light to pass through if necessary and for the window to be retained.

The proposal is sited adjacent to the West of neighbouring residential property, 1 Staple Gardens, a three storey town house which has a small rear terrace at ground floor and a small balcony at first floor which form the exclusive outdoor residential amenity space for this property. The proposed extension projects adjacent to the rear wall of this property at

Case No: 19/01205/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

ground floor level which does not feature any windows. Whilst the proposed extension will alter the outlook from the adjoining ground floor terrace, it is considered due to the existing relationship and the proposed design this will not amount to a demonstrable loss of amenity to justify refusing the application.

The existing lean to roof form and timber structure is located adjacent to the balcony positioned at the first floor of this neighbouring property. The lead roof form is proposed to replace this clear glazed roof within a near identical position to the existing roof form. Whilst the proposed lead roofing material is darker in colour and texture to the existing roof form, the outlook from this property and external amenity space is not considered to be adversely darkened as a result of the relative position of this roof form below the natural outlook from this window and raised terrace. Furthermore, the positioning of rooflights away from this property is considered to allow both natural light to reach the existing dwelling house, Walcote Place, and reduces the current overlooking impact experienced from this neighbouring property, 1 Staple Gardens.

The proposal is located adjacent to the single storey extension to the rear of Walcote Chambers which is occupied by offices. This neighbouring flat roof form features a number of convex roof lanterns and are positioned at a lower level in comparison to the proposal. The resultant relationship with this property is considered to not be significantly adversely effected by the proposed extension as a result of the modest roof form proposed and existing setting within built form. Furthermore, it is considered that due to the scale of the proposal and distance maintained from number 2 and 3 Staple Gardens that no additional impact upon the residential amenity of these neighbours should arise.

It has been confirmed by the agent that the proposal will be positioned in its entirety within the application site as outlined in red and a additional informative is attached to any planning permission granted to remind the applicant that other permissions/agreements may be required to carry out the works e.g. party wall agreement.

Highways/Parking

The considered application is for a ground floor extension where the house maintains two bedrooms. As such, the proposal is not considered to result in a material change in the amount of parking associated with the dwelling. Therefore, there is no justifiable need for conditions or refusal based on highways grounds related to the continued use of the dwelling.

Recommendation

Application Approved 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).

Case No: 19/01205/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in Materials Schedule provided by CFW Architects on 31st May 2019.

Reason: To ensure a satisfactory visual relationship between the new development and its surroundings.

3. The development hereby approved shall be constructed in accordance with the following plans:

Site and Location Plan (Drawing Number: AP005 Revision A) Received: 04.06.2019

Block Plan (Drawing Number: AP080 Revision E) Received: 31.05.2019

Proposed Plans and Elevations (Drawing Number: AP080 Revision E) Received: 31.05.2019

Proposed Details (Drawing Number: AD505) Received: 31.05.2019

Reason: In the interests of proper planning and for the avoidance of doubt.

Informatives:

01. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) (July 2018), 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 a site meeting was carried out with the agent following an on site pre-application advice meeting and written advice.

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

The Local Plan Part 1 (2013) DS1, CP13, CP20

The Local Plan Part 2 (2017): DM15, DM16, DM17, DM27, DM28, DM29

National Planning Policy Framework

High Quality Spaces (2015) Supplementary Planning Guidance

03. 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.

04. 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.

Case No: 19/01205/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

05. 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, please refer to the Construction Code of Practice
<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

06. Please be advised that Building Regulations may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

07. The applicant should note that this permission does not give any property rights to building on or encroach over or under the adjoining property. The applicant may be required to serve notice under the Party Wall etc Act 1996.

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WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Case No: 19/01087/HOU
Proposal Description: Formation of habitable room in roofspace with side dormer and front gable build up.
Address: Fishers Cottage 86 Main Road Colden Common SO21 1TD
Parish, or Ward if within Winchester City: Colden Common
Applicants Name: Mr McNeil
Case Officer: Curtis Badley
Date Valid: 15 May 2019

Recommendation: Application Refused



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WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Councillor Susan J. Cook requested for this application to be determined by Planning Committee, see Appendix 1

A revised parking plan (unreferenced) was received on 14th June indicating the provision of three car parking spaces to the front of the dwelling house and supersedes the (unreferenced) previous parking plan received on 7th June indicating the provision of four car parking spaces to the front of the dwelling house.

In addition, two annotated photographs were received on 17th June which indicates the removal of the Southern vegetation boundary and the removal of the raised footpath adjacent to neighbouring property, 84 Main Road to the North.

Site Description

86 Main Road is a semi detached property located to the east of Colden Common, to the South West of Main Road (B3354). Within this area, there is no predominant development style - a variety of designs are present, often comprising of red brick and tile. Properties generally feature roofs which slope towards the road frontage and are generally two stories in height.

The existing property is a two storey, three bedroom, semi detached house built of red brick and tile. There exist two car parking spaces immediately adjacent to the front of the property in addition to a moderate rear garden to the rear. The adjacent property, 84 Main Road (Water House) was built in conjunction with this property and is set significantly forward from its adjoining neighbour, number 86. This arrangement results in a L shaped parking arrangement, providing two car parking spaces for each property, retaining a shared turning area between the two. The existing roof form is hipped and due to the increased width of this property, the ridge height is greater than number 84.

Proposal

The proposal seeks to convert and extend the existing loft space within the second floor of the property for use as habitable accommodation. In order to accommodate the two additional bedrooms as proposed, the front hipped roof form is built up to become a gable end and a side dormer window extension is provided in order to accommodate the new stairs. The proposal seeks to provide two additional bedrooms which results in a total of five bedrooms. In addition to the extension and alterations works it is indicated that external works are proposed to widen the existing access driveway.

Relevant Planning History

(The Cottage)

03/01536/FUL (PER - 05.04.2004) (AMENDED DESCRIPTION) Erection of 2 no. semi-detached 1 two bedroom and 1 three bedroom dwellings with associated car parking and alteration to existing access.

(Land To The Rear Of Fishers Cottage)

04/03210/FUL (PER - 03.02.2005) Erection of 1 no. three bedroom dwelling with

Case No: 19/01087/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

associated parking

Consultations

HCC Engineers - Highways: Objection

It is noted that the existing car parking arrangement of two allocated car parking spaces each with a shared turning area for properties 84 and 86 Main Road which are accessed from Main Road which is a classified road (B3354), subject to a 30mph speed limit.

The proposals provide additional parking within the shared turning area which “will result in cars being reversed to or from Main Road. Moreover, a car parked in the space will prevent access to the neighbouring property’s parking spaces” and this could result in inadequate access arrangements for this property This could result in the occupiers being forced to reverse a vehicle directly onto Main Road across the full height kerbed footway” which is contrary to Section 184 of the Highways Act 1980.

Representations:

Colden Common Parish Council:

- No Objection

Councillor Susan J. Cook has provided comments in support of the application noting that there is space available for four cars to park and that this provision would not cause difficulty for the neighbour to manoeuvre. In addition, clarification was provided to state that the application was for a single additional bedroom.

No letters received either in support or in objection to the application.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy (2013):

DS1: Development Strategy and Principles;

CP13: High Quality Design;

MTRA2: Market Town and Larger Villages

Winchester District Local Plan Part 2 - Development Management and Site Allocations
Development Plan Document (2017):

DM1: Location of New Development;

DM15: Local Distinctiveness;

DM16: Site Design Criteria;

DM17: Site Development Principles;

DM18: Access and Parking

Supplementary Planning Guidance

Residential Parking Standards (2009);

High Quality Places (2015);

Colden Common Village Design Statement (2012)

HCC Highways Standing Advice - Consultation with Hampshire County Council as the Local Highway Authority Notification to local planning authorities (2017)

Case No: 19/01087/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Planning Considerations

Principle of development

86 Main Road (Fishers Cottage) is situated within the settlement boundary of Colden Common, where the principle of extending an existing dwelling is acceptable, provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

Design/layout

The proposal involves the construction of a front gable extension, side dormer window and the insertion of two side roof lights. The proposed front gable is considered to be proportionate to the existing property, matching the existing roof height and retaining the front first floor roof projection. The addition, above the existing built form ensures that the level of projection forward is not excessive and due to the modest scale of the proposal, is not considered to become overly dominant in relation to the existing building.

The two proposed roof lights are set high within the South side elevation of the extended roof form. No further windows exist within the existing side elevation of this property and as a result of their modest scale and projection from the existing roof form, no further impact is expected upon the existing property.

A dormer window extension is proposed to allow additional space and head room to accommodate the additional stairs used to access the roof accommodation. As a result, no windows are proposed within this extension, allowing the proposal to visually recess into the existing roof form by virtue of its use of materials to match the existing roof form. The proposed side dormer window is set back from the both the principle elevation and the rear elevation of the property. As a result of its modest scale and positioning within the existing roof form, the dormer window is considered to be sympathetic to the existing building. The proposal is therefore considered to comply with policy DM16 (LPP2) and the guidelines set out within the High Quality Places SPD (2015) which seek, among other objectives, to ensure that development responds positively to the local environment and that dormers are well related to the existing building in terms of design, scale, proportion, materials and detailing.

Impact on character of area

The property is located in a position which is relatively set back from Main Road and is partially screened from views to the North by adjacent existing built form. The proposed front gable build up and alterations to the existing parking arrangement will therefore be visible from nearby views from within the street scene to the front of the property. The proposed alteration to remove the existing hedgerow boundary and footpath is not considered to adversely impact the street scene where the positive impact made currently is limited by its width. The proposed side dormer window will be subject to public view

Case No: 19/01087/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

from a longer distance from Spring Lane past adjacent neighbouring properties to the North.

Within this surrounding area, a number of properties have been extended at roof level providing additional residential accommodation in a similar scale to the current proposals. In this case, the moderate nature of the proposed development and use of materials which are matching the existing property ensures that a negative impact upon the character of the surrounding area is not created.

Impact on neighbouring properties

The proposed dormer window extension is located upon the Northern side elevation of the existing property adjacent to number 84 Main Road. The proposed dormer is set within the existing roof form, adjacent to the rear elevation of this neighbouring property. In consideration of the existing property layout and roof form which is set adjacent to the southern boundary of this neighbouring property, the proposed dormer window and roof build up is not expected to create any additional impact upon neighbouring amenity. No windows are proposed to face this neighbouring property and as a result, no overlooking impact is expected.

The neighbouring property, 88 Main Road, is located to the South of the proposal and features a single storey garage adjacent to the shared neighbouring boundary. As a result of the current property arrangement, a limited overlooking impact is currently available through the windows within the rear elevation of this property upon this neighbouring garden. The proposed roof lights within the second floor roof accommodation by virtue of their limited scale and positioning within the roof form is not considered to create an adverse overlooking impact upon this neighbouring property.

Highways/Parking

The existing property has three bedrooms and provides two car parking spaces in association with a space (shared with neighbouring property 84 Main Road) which allows vehicles from both properties to enter and leave the site in a forward gear. The existing property access is achieved from the Main Road (B3354) which is a major route through the village and is subjected to high volumes of heavy traffic, congestion which develops at peak periods and disregard to speeding restrictions as identified within the Colden Common Village Design Statement (2012).

The proposal seeks to provide two additional bedrooms above the three bedrooms already provided within the property which results in the creation of a five bedroom dwelling house. In addition to the extension and alterations works to the dwelling house, it is indicated that external works are proposed to widen the existing access driveway.

The Residential Parking Standards SPD (2009) sets out the expected parking standards for residential development. In accordance with table 2 of the Residential Parking Standards SPD (2009), a five bedroom dwelling house as proposed requires 3 off road parking spaces. In addition to this document, further advice has been sought from Hampshire County Council Highways in addition to consideration made within the HCC consultation with Local Authorities standing advice (adopted April 2017) which states:

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

“4.5 Parking provision should be in accordance with the adopted parking standards of the local planning authority. Parking needs to be considered as part of the design and layout of the site so that parking on the highway does not create a safety or operational issue on the highway.”

HCC highways have objected to the scheme as proposal would lead to a significant highway safety issue. The three parking spaces indicated within the revised parking plan would not enable vehicles accessing this property (and neighbouring property 84 Main Road) to manoeuvre on site so they may enter and leave the site in a forward gear. Furthermore, the extent of works to amend the parking space through the removal of the existing hedgerow and footpath is considered to be insufficient to enable satisfactory turning on site. The proposed parking arrangement is therefore considered to be inadequate where the proposed development would be likely to encourage the movement of vehicles to reverse on and off the public highways and thereby add hazards to road users at this point. The proposal would therefore be contrary to policy DM18 of WD LPP2 (2017) and the Residential Parking Standards SPD (2009).

In addition to the above as considered within HCC Highways advice, the revised car parking layout is unsatisfactory. The advice further raises concern that a restriction in vehicle movement of neighbouring property number 84 Main Road could result in occupiers being forced to reverse a vehicle directly onto Main Road across the full height kerbed footway which is contrary to Section 184 of the Highways Act 1980. The kerb as indicated falls outside of the planning application site (as indicated within the red outline) and therefore cannot be amended as part of this planning application process.

Recommendation

That planning permission is refused for the following reason:

1. The development is contrary to policy DM18 of The Local Plan Part 2 (2017) and the Car Parking Standards Supplementary Planning Document (2009) in that adequate provision is not made on site for the parking of vehicles in a satisfactory manner, consequently the proposed development would be likely to encourage the movement of vehicles to reverse on and off the public highways and thereby add hazards to road users at this point.

Informatives:

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

WD Local Plan Part 1 (2013): DS1, CP13, MTRA4

WD Local Plan Part 2 (2017): DM1, DM15, DM16, DM17, DM18, DM23

WD High Quality Places Supplementary Planning Document (2015)

Soberton and Newtown Village Design Statement (2002)

In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

Case No: 19/01087/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- updating applicants/agents of any issues that may arise in the processing of their application.
- In this instance the applicant was updated of any issues after the initial site visit.

Appendix 1 – Councillor Susan J. Cook request for this application to be determined by Planning Committee

City Councillor's request that a Planning Application be considered by the Planning Committee

Request from Councillor: Cllr Susan Jayne Cook Ward Councillor for Colden Common and Twyford
Case Number: 19/01087/HOU
Site Address: 86 Main Road, Colden Common Hampshire
Proposal Description: Loft Conversion
Requests that the item be considered by the Planning Committee for the following material planning reasons: I have also spoken to the Officer and requested a Site Visit so the Applicants Property as I firmly believe it will give a much better understanding of exactly what the Resident is requesting of this application please.

- Whilst requests will be accepted up to the determination of the application, Members should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise the case may be determined under delegated powers soon after the expiry of the publicity period. The committee date for the application will depend upon when the request is received in relation to the committee cycle.
- It would be helpful if Members can indicate their preferred outcome to avoid it going to the committee unnecessarily
- Members should note that referral of an item to the Committee will require consideration as to whether a declaration of interests and / or pre-determination and bias may be necessary. If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting. *Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.*

Once completed, please email this form to the relevant Planning Case Officer and the Head of Development Management.

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PDC1143
PLANNING COMMITTEE

REPORT TITLE: PLANNING APPEALS

15 AUGUST 2019

REPORT OF CABINET MEMBER: Councillor Porter, Cabinet Member for Built Environment and Wellbeing

Contact Officer: Julie Pinnock Tel No: 01962 848 439

Email jpinnock@winchester.gov.uk

WARD(S): ALL

PURPOSE

This report provides a summary of appeal decisions received during 1 April 2019 to 30 June 2019.

Copies of each appeal decision are available on the Council's website.

RECOMMENDATIONS:

1. That the report be noted.

IMPLICATIONS:1 COUNCIL STRATEGY OUTCOME

1.1 Analysis of appeal decisions ensures consistency in decision making, helping the City Council to protect the Environment.

2 FINANCIAL IMPLICATIONS

2.1 None

3 LEGAL AND PROCUREMENT IMPLICATIONS

3.1 None

4 WORKFORCE IMPLICATIONS

4.1 None

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND COMMUNICATION

6.1 Not applicable – report for information

7 ENVIRONMENTAL CONSIDERATIONS

7.1 None

8 EQUALITY IMPACT ASSESSMENT

8.1 None

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None Required

10 RISK MANAGEMENT T

Risk (Detail in this column specific risks, under each of these headings)	Mitigation	Opportunities
<i>Property N/A</i>		
<i>Community Support N/A</i>		
<i>Timescales N/A</i>		
<i>Project capacity N/A</i>		
<i>Financial / VfM N/A</i>		
<i>Legal N/A</i>		

<i>Innovation N/A</i>		
<i>Reputation N/A</i>		
<i>Other N/A</i>		

11 SUPPORTING INFORMATION:

11.1 This report provides a summary of appeal decision in relation to planning cases received during the period 1 April 2019 to 30 June 2019

Total Appeals Decided in this period 12

Appeals Allowed: 4 33%

Appeals Dismissed: 8 67%

No Application for Costs on any of these 12 Applications.

No Enforcement Appeals Decided in this period.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None

BACKGROUND DOCUMENTS:- Relevant planning applications files.

Previous Committee Reports:

PDC1135

Other Background Documents:

None

APPENDICES:

Appendix 1 – Planning Appeals – Summary of Decisions

APPENDIX 1

PLANNING APPEALS – SUMMARY OF DECISIONS (DC CASES)**REPORT FROM SERVICE LEAD BUILT ENVIRONMENT**

A summary of appeal decisions received during the period 1 April 2019 to 30 June 2019.

Item No: 1			
Date of Inspector's Decision:	4th June 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application For Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	17/01761/LDC		
Case Officer:	Catherine Watson		
Original Decision Type:			
Was Decision Overturned at Committee?	No		

Proposal:	Caravan site
Location:	Greenacre Caravan Park, Stockbridge Road Sparsholt SO21 2NA

Item No: 2			
Date of Inspector's Decision:	5th April 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No Application For Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/00013/FUL		
Case Officer:	Liz Marsden		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Proposed conversion of 1st and 2nd floor to 8No. self contained flats. Revised application following refusal of application 16/02917/FUL, 16/02918/LIS to address reasons for refusal.
Location:	Unit D South Square Knowle Fareham Hampshire PO17 5FL

Item No: 3			
Date of Inspector's Decision:	5th April 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No Application For Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/00014/LIS		
Case Officer:	Liz Marsden		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Proposed conversion of 1st and 2nd floor to 8No. self contained flats. Revised application following refusal of application 16/02917/FUL, 16/02918/LIS to address reasons for refusal.
Location:	Unit D South Square Knowle Fareham Hampshire PO17 5FL

Item No: 4			
Date of Inspector's Decision:	5th April 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	I	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	17/01366/FUL		
Case Officer:	Rose Lister		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Removal of condition 4 agricultural occupancy from planning permission reference 07/00414/FUL.
Location:	Sutton Springs Trout Fishery Grounds, Bullington Lane Sutton Scotney SO21 3RA

Item No: 5			
Date of Inspector's Decision:	17th May 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/01597/FUL		
Case Officer:	Liz Marsden		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Erection of four dwellings
Location:	Greenfields Lodge Church Road Swanmore SO32 2PU

Item No: 6			
Date of Inspector's Decision:	17th May 2019	Inspector's Decision:	Appeal Allowed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/00945/FUL		
Case Officer:	Liz Marsden		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Demolition of existing 4 bed timber bungalow and replace with 3 bed detached cottage with detached garage and car port.
Location:	Heatherlea Turkey Island Shedfield Southampton Hampshire SO32 2JE

Item No: 7			
Date of Inspector's Decision:	13th June 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/00251/FUL		
Case Officer:	Verity Osmond		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	Yes		

Proposal:	A new dwelling within the curtilage of the English Partridge Pub in Bighton.
Location:	The English Partridge Bighton Alresford Hampshire SO24 9RE

Item No: 8			
Date of Inspector's Decision:	17th May 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/00693/FUL		
Case Officer:	Liz Marsden		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	New dwelling on garden to rear of Barons Court with access off private road.
Location:	Barons Court Curdridge Lane Curdridge Southampton Hampshire SO32 2BJ

Item No: 9			
Date of Inspector's Decision:	8th April 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/01683/HOU		
Case Officer:	Verity Osmond		
Original Decision Type:	Committee Decision		
Was Decision Overturned at Committee?	No		

Proposal:	loft conversion with dormer to the rear elevation and velux windows to the front elevation
Location:	17 Sycamore Drive Winchester SO23 7NW

Item No: 10			
Date of Inspector's Decision:	10th May 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/02026/HOU		
Case Officer:	Marge Ballinger		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Single storey side extension with roof lantern light within parapet wall; rear glass balcony. Generally brickwork to match existing. Timber pergola to retained parking spaces.
Location:	10 Hillcroft Northbrook Avenue Winchester Hampshire SO23 0LE

Item No: 11			
Date of Inspector's Decision:	31st May 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	W	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/01385/FUL		
Case Officer:	Sean Quigley		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Detached 3 bedroom house in garden of 11 Somers Close
Location:	11 Somers Close Winchester Hampshire SO22 4EJ

Item No: 12			
Date of Inspector's Decision:	3rd May 2019	Inspector's Decision:	Appeal Dismissed
Appeal Procedure (see code below):	H	Costs:	No Application for Costs
W – Written representation; I – Informal hearing; P – Public Inquiry; H - Householder			

Case No:	18/02072/HOU		
Case Officer:	Marge Ballinger		
Original Decision Type:	Delegated Decision		
Was Decision Overturned at Committee?	No		

Proposal:	Rear facing dormer, rear bi-folding doors, 1no. new rooflight to front elevation.
Location:	15 St Swithun Street Winchester SO23 9JP

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