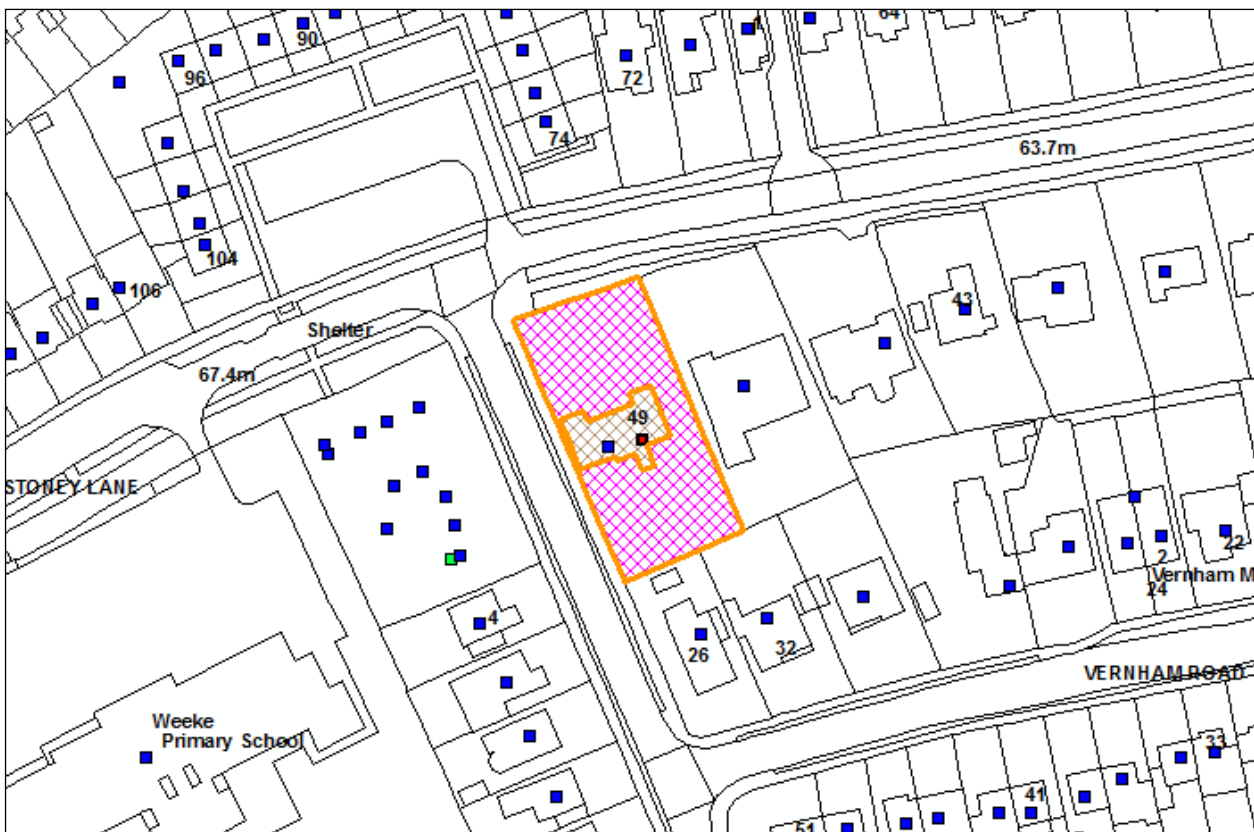


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/01874/FUL
Proposal Description: Demolition of existing dwelling followed by erection of 4 no. 2-bed terraced chalet bungalows and 2 no. 3-bed semi-detached chalet bungalows including associated infrastructure.
Address: 49 Stoney Lane Winchester SO22 6DP
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr Doswell
Case Officer: Liz Marsden
Date Valid: 30 August 2019
Recommendation: Application Refused

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PX251MBPGJJ00>

Pre Application Advice: No



© Crown Copyright and database rights Winchester City Council License 100019531

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

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

Resubmission following refusal of application 19/00645/FUL. Primary alterations:

- Reduction in number of dwellings from 8 to 6
- Change in design of dwellings
- Alterations to layout

Site Description

The site, which has an area of 0.126 ha, is located at the junction of Stoney Lane and St Matthews Road. Whilst the area as a whole is residential, St Matthews Road marks a change in the pattern of development, where the overall character of Stoney Lane alters from predominantly single storey and chalet style bungalows in good-sized plots to the east to a more mixed form and type of development, including a school, single storey terraces, semi detached houses and, further west, commercial properties and a church. The location of the site is such that it would be viewed primarily in the context of the more spacious eastern section.

The existing building on the site is a bungalow, with roof lights to accommodation in the roof space. The adjacent dwellings on Stoney Lane (no.47) and to the south of the site on St Matthews Road are also single storey, with dormers serving the upper floor accommodation which is contained entirely within the pitched roofs.

The site is level and at present screened from the immediate neighbour to the south (5 St Matthew Road), by a close boarded fence, following the removal of tall evergreen trees that formerly extended along the southern boundary, though these have been retained along the southern part of the eastern boundary with No.47 Stoney Lane.

To the west of the site on the opposite corner of St Matthews Road has recently been developed, following a planning consent in 2017, with 8 dwellings comprising a terrace of 2 storey properties along the Stoney Lane frontage and a pair of semi-detached and a single detached chalet style bungalow facing St Matthews Road. These buildings, although more modern in design and materials than neighbouring properties in the area, reflect features of existing development, including the use of pitched roofs and dormers.

Proposal

The application seeks to demolish the existing bungalow and replace it with 6 residential units in the form of a terrace of 4 x 2 bed chalet-style bungalows, with rooms in the roof, fronting Stoney Lane and a pair of semi-detached, 3 bed properties facing St Matthew Road. Two new accesses are to be created, one from Stoney Lane and one from St Matthew Road. The existing access to the property is to be closed up.

The terraced houses are to be staggered, with the eastern pair set back around 11.6m from the front boundary of the site, but will be nearly 8m further forward than the existing dwelling. The western pair is set a further 4m towards Stoney Lane, approximately 9m from the front boundary. The overall width of the terrace is similar to that of the existing

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

bungalow on the site, though has been set back about 1.4m from the western boundary so is closer to the eastern boundary, leaving a gap of 2.2m. At its nearest point it will be 4.8m from the neighbouring dwelling to the east (No.47 Stoney Lane). Two car parking spaces are provided for each dwelling on the frontage of the property. No bin or bike storage units are referred to on the plans though the site plan does appear to show sheds in the rear garden of the properties.

The semi-detached properties are set around 6m back from the edge of St Matthews Road and have rear gardens of between 8m and 9m in length. The properties share a new vehicular access which is to be created from St Matthews Road and car parking is to be provided to the front of the properties.

Relevant Planning History

12/02518/FUL – demolition of existing garage and erection of two storey side extension – permitted 23.01.2013

17/01172/FUL – detached three bedroom chalet bungalow – permitted 16.06.2018

19/00645/FUL - Proposed development of 4 x 3 bed semi-detached houses and 4 x 2 bed apartments following removal of existing dwelling – refused by the planning committee on 20.06.19 for the following reasons:

1. The proposed development would, by reason of its size, scale, layout, unsympathetic design and prominent location, result in a dense and intrusive form of development which would be out of keeping with the pattern and spatial characteristics of the surrounding area to the significant detriment of its character and appearance. The proposal would therefore be contrary to Policies WT1 and CP13 of Winchester District Local Plan Part 1 - Joint Core Strategy, policies DM15, DM16 and DM17 of Winchester District Local Plan Part 2 - Development Management and site Allocations and Supplementary Planning Document - High Quality Places.
2. The proposed dwellings would, by reason both of their close proximity to each other within the development site and to the neighbouring property to the east, have an overbearing and unacceptable impact on the amenities of the occupants of those properties through loss of outlook and privacy through potential overlooking. The proposal would therefore be contrary to policy DM17 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations.
3. The proposal would result in the loss of trees, covered by a Tree Preservation Order to the detriment of the visual amenity of the surrounding area. It would therefore be contrary to policies CP20 of Winchester District Local Plan Part 1 and DM23 of Winchester District local Plan Part 2.
4. The proposed development is contrary to Policy CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to protect and enhance biodiversity across the District by failing to fully assess the impacts to protected species and habitats or demonstrate that the potential impacts can be successfully mitigated.

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Consultations

WCC Service Lead for the Built Environment - Historic Environment - Urban Design:

Objection - The revised plans do address some of the concerns raised on the previous application but don't address the fundamental issue of overdevelopment and is out of character with the pattern and spatial characteristics of the surrounding area. Considered that further amendments are need to reduce development on the site in order to provide:

- Sufficient private and useable amenity space
- Plot sizes more in keeping with those of the surrounding area
- Reduce requirement for car parking
- Enable the retention of the existing protected trees

WCC Service Lead for Environmental Services - Landscape and Open Space - Trees:

Objection – The proposal will result in the removal of two trees protected by a Tree Preservation Order and will have a detrimental impact on the character and appearance of the area contrary to policy DM15 of Local Plan Part 2.

- Inconsistencies between the management recommendations of the tree survey and those in the arboricultural impact assessment.
- Trees have been grade as being C1 category, though T1 fits more with the criteria of a B1 tree.
- Contradiction in the advice provided by the arboricultural consultant in terms of the potential life span of the trees.

WCC Service Lead for Environmental Services - Landscape and Open Space - Ecology:

No objection subject to conditions. - The building to be demolished has some bat roost potential, though no bats have been seen in the surveys that have been carried out. Additional information will be required to demonstrate nitrate neutrality.

WCC Service Lead for Environmental Services - Drainage: No objection subject to conditions (comments on previous application).

Site in Flood Zone 1 and at very low risk of flooding.

HCC Highways:

No objection subject to conditions. The increase in vehicle movements can be safely accommodated and will not result in detrimental impact on the operation or safety of the local highway network. Notwithstanding this there are some issues that should be addressed.

- A footway link/pedestrian crossing point will need to be maintained at the junction; which should be indicated on the Site Plan drawing
- The amount of parking appears to be in accordance with the residential parking standards and the spaces meet the minimum dimensions, the arrangement is constrained by landscaping. Manoeuvring aisles should extend a minimum of 1m beyond spaces and the aisle should be a minimum of 6.8m where there is a hedge opposite. Hedges should be offset at least 0.5m from the sides of spaces.

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- The Technical Note suggests that cycle parking/storage is to be accommodated in rear garden sheds, which do not appear large enough for the purpose.

Southern Water:

(comments on previous application). No drainage strategy proposals received and these should be made the subject of a condition, if proposal approved. Applicant advised to discuss further with Southern Water.

Representations:

City of Winchester Trust: Amended scheme is an improvement of the previous application but considered essential that the nature of the neighbourhood should be preserved by respecting the proposed tree and hedge screening.

23 letters, from 19 households, received objecting to the application for the following material planning reasons:

- Despite the reduction in number of houses the proposed development is still unsuitable for the site
- Out of keeping with the character of the area
- Overdevelopment of this prominent site.
- Contrary to policy
- increase in traffic in an already concentrated area
- proximity to school could lead to increased danger to children from cars, particularly given the new accesses.
- The description of the properties as 'chalet bungalows' is inaccurate due to the level of accommodation provided at first floor level.
- Loss of trees, recently protected by a TPO, which enhance and soften the street scene as well providing ecological habitat.
- Increase in cars using the Stoney Lane access will cause problems for pedestrians
- Traffic impact assessment carried out on a Sunday morning which is not a true reflection of the normal weekday traffic flows
- No provision of visitor parking which will result in pressure on on-road spaces
- Awkward tandem parking on site
- No provision of bike or bin storage facilities
- Overlooking and loss of amenity to adjacent properties.
- Design bland and characterless
- No need for additional houses when existing recently built properties are not being occupied or sold
- Adverse impact on ecology and detriment to the locally valuable wildlife corridor running along the rear of properties in this part of Stoney Lane
- Trees that are proposed
- Inaccuracies in the supporting statements and plans
- The recent development on the other side of the road does not justify a further development that is out of character with the surrounding area.
- Previous proposals along Stoney Lane have not been allowed to go forward of the building line.
- The development can be distinguished from More Place
- Nitrate issues ignored

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

16 letters, from 14 households and a planning consultant, of support received raising material planning reasons:

- Good location for new housing as close to local services and efficient use of land
- Higher density development is acceptable in an urban location and will reduce requirement for houses in the countryside
- Will improve the relationship between the buildings and the public realm, to define street lines and enhance the character and identity of the place;
- provide natural surveillance of the public realm to improve safety and encourage walking;
- enhance legibility within this location to improve wayfinding;
- The reduction in numbers results in a more open and sympathetic form of development which responds well to the character of the area.
- The stepping back of two of the Stoney Lane frontage houses means that the scheme effectively turns the corner.
- Design of the dwellings in keeping with the surrounding properties
- landscape and design compliments the surrounding properties and the recent development on opposite corner of St Matthews Road
- site is similar in size to the More Place development
- Will not result in overlooking of neighbours
- good sized garden compared to other new build sites
- need for more 2 and 3 bed units
- Affordable homes for people who want to stay in the local area.
- Developers have taken note of previous comments and tried to come up with a scheme that works for neighbours
- The proposal is not the replacement of a single dwelling with 6 as the existing property is already sub-divided and there is permission for a further dwelling on the site.
- The new accesses are preferable to the intensified use of the existing access on the corner
- Good mix of housing which will help first time buyers
- The trees are not worthy of retention as the silver birches are nearing the end of their life expectancy

Reasons aside not material to planning and therefore not addressed in this report.

- Some of the letters of support are from people who live outside the community
- Number of recently erected properties in the area that have not been sold despite length of time on the market

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA1, CP2, CP3, CP11, CP13, CP14, CP16, CP20

Winchester Local Plan Part 2 – Development Management and Site Allocations
WIN1, DM1, DM15, DM16, DM17, DM18, DM24

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

National Planning Policy Guidance/Statements:

National Planning Policy Framework

National Design Guide

Supplementary Planning Guidance

High Quality Place SPD 2015

Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the proposal site is located within the main settlement boundary of Winchester and therefore there is a presumption in favour of additional housing development, subject to an assessment with other policies of the Local Plan.

Policy CP2 of the Local Plan Part 1 (LPP1) considers housing mix and requires that there should be a majority of 2 and 3 bedroom dwellings, unless local circumstances indicate an alternative approach should be taken. In this case, four out of the 6 units have 2 bedrooms and the remaining 2 houses have 3 bedrooms. The proposal is therefore in accordance with this policy.

Policy CP14 of LPP1 states that the development potential of all sites should be maximised and that higher densities will be supported on sites which have good access to facilities and public transport. In this case there are public transport links close to the site and shops a short distance away to the west, and the western end of Stoney Lane. However, the primary determinant will be how well the design responds to the general character of the area and in this case it is not considered that the proposal would preserve or enhance the character or appearance of the surrounding area.

The development has a density of 47.6 dwellings per hectare.

Design/layout

Following the refusal of the previous application the number of units on the site has been reduced by 2 units, all in the form of 2 and three bedroom houses. Rather than two pairs of semi-detached houses fronting St Matthew Road, there is now a single pair and this has enabled the houses along the Stoney Lane frontage, now a short staggered terrace, to be set further back on site. Whilst these houses are still forward of the building line to the east of the site, their siting does provide a slight transition between the established pattern of development to the east and the new development to the west, where buildings have been set closer to the road. The overall width of building across this frontage is also marginally narrower than the existing bungalow on the site, enabling it to be drawn away from the side boundaries, but the gable end design of the houses will be more prominent in the streetscene than the fully hipped roof of the bungalow.

The proposed relationship between plots 1-4, on the Stoney Lane frontage, and plots 5 and 6 to the south is better than the previous application, where the buildings were separated by a narrow, 5m, gap which provided little usable amenity space and effectively ensured that the apartments could not benefit from their south facing aspect. However, whilst modest gardens are now provided to each property, those to plots 1

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

and 2 are still only 8.5m in length, which would result in the first floor windows in plots 1 and 2 having a clear view of the amenity area of plot 5, with consequent loss of privacy to the occupants of the that property. Additionally, the side elevation of plot 5 would run along the full width of the rear garden boundary of plot 2 and the close proximity of this building, the which varies in height from 3.4m to 7m, located to the south, would be intrusive in the outlook from plot 2 and result in significant shading of the garden, reducing any benefit to be gained from a south facing garden.

The design of the buildings have been altered so that all properties have fully pitched roofs, albeit with large flat-roofed dormers, which is more characteristic of the existing dwellings in the vicinity. The simple design and use of materials is contemporary in appearance and reflects features of the recent development to the west of St Matthews Road.

Small sheds have been provided to all properties, though there are no elevational details, and their overall size (1.5 sq.m) does not appear large enough to store more than a single bicycle and in fact are labelled bin stores on the landscape plan. All parking provision is to be set along the frontage of the properties resulting in an extensive area of hard standing along both the Stoney Lane and St Matthews Road frontages, though some planting has been proposed to soften the boundaries.

Impact on character of area

The area in the vicinity of the site is predominantly residential, and is characterised by a variety of dwelling styles, though the majority of these along both Stoney Lane and St Matthews Road, being single storey or chalet style bungalows. The density of the existing development varies, with properties closer to together in longer plots to the north of Stoney Lane and more well spaced dwellings to the south. Between the junctions of Stoney Lane with St Matthews Road to the west and Berewecke Avenue to the east the buildings are all set well back from the road, with mature trees and hedgerows along their frontages, resulting in a spacious and attractive suburban setting and it is within this context that the development will be viewed.

It is recognised that the overall character of Stoney Lane alters to the west of St Matthews Road, where there is a greater variety in the form of development ranging from large plots, such as Weeke Primary School and Peter Symonds College set back from the road, or by terraced houses and buildings containing local services relating more closely to the road. More recently the development at More Place, immediately to the west of St Matthews Road provides a higher density of housing.

A letter of support from a consultant, on behalf of the applicant, refers to the National Design Guide and quotes that '*where the character of an existing place has limited or few positive qualities, then a new and positive character will enhance its identity*', and states that any new development should review the merits of the existing conditions and contribute positively to the area. However, this would appear to suggest that the site is in an area with limited positive qualities, ignoring the obvious merits of the spacious surroundings and the site's current contribution to this character. It is considered that the scale, mass and siting of the proposed buildings, would result in an over-developed and cramped appearance to the site that would not be a positive contribution to this area, nor accord with the aims of the National Design Guide.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

As set out in letters of support, the proposal provides an opportunity to make the best and most efficient use of the land and a higher density is not in itself a bad form of development. This is recognised in both local and national policy but, as set out in the NPPF, '*policies and decisions should support development that makes efficient use of land, taking into account the desirability of the maintaining an area's prevailing character and setting*', an aim that is reflected in policy CP14 of the Local Plan Part 1. Therefore any increase in density needs to be achieved in a way that enhances rather than detracts from the existing character of the area. This is not considered to be the case with the submitted proposal where the limited garden areas, domination of car parking and loss of protected trees all serve to reduce the quality of the visual amenities of the area to its detriment.

Reference is made by the consultant to the importance of natural surveillance and legibility which it is felt, by the applicant, to have been achieved by the proposed development. However, these principles of urban design, whilst desirable, need to be considered in the context of the specific site and applied accordingly rather than being imposed at the expense of the character and appearance of the surrounding area. With regard to surveillance, the houses fronting Stoney Lane, whilst set further forward on the site than currently the case, are still at a sufficient distance and behind car parking spaces and hedgerows, such that any surveillance would be limited. With regard to legibility and way finding, this would be more relevant in a larger new estate development than this well established and varied area, where existing significant features, such as the mature trees, already provide reference points by which to orientate.

Comparisons have been made with the recently developed More Place, to the west of St Matthews Road and it is acknowledged that the form and density of that development, which is higher than the current application (53 dph) is a departure from the more spacious properties, particularly to the east of the site, but it is considered that it can be clearly distinguished from this application. The site is larger than 49 Stoney Lane and has a greater depth, enabling a courtyard type of development with all car parking contained within the site and the gardens of the houses backing onto the road. Whilst at present, the roadside boundaries of the gardens are defined by close boarded fences, which are a relatively harsh feature, hedges have been planted along the outside which will mature and soften their impact. The application site, however, will result in both roadside frontages being given over to hard standing and parking, providing an uncharacteristic hard urban edge, particularly on the St Matthews Road frontage, which will not be sufficiently mitigated by the small areas of planting that are proposed.

One of the most significant impacts on the visual amenity of the area will be the loss of the trees on the Stoney Lane frontage, which is necessary to achieve the new access to the apartments. This is assessed in a subsequent section of this report.

Impact on neighbouring property

The primary impact of the proposal will be on the neighbouring property to the east, No. 47 Stoney Lane. The proposed buildings are at a sufficient distance to ensure that there is no direct loss of light through overshadowing. There would also be only limited loss of outlook from the windows serving primary living accommodation, due to the part of the property closest to the boundary with 49 being comprised of a garage and pool building. The nearest pair of the terraced houses (plots 1 and 2) have been set further back from the road than the previous scheme and whilst they may be visible from windows in the front elevation of No.47, this will be at an oblique angle and would not intrude significantly into the 45 degree angle that is generally considered to provide an acceptable level of

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

outlook. It is not therefore considered that a reason for refusal could be sustained on the grounds of an unacceptable impact on the outlook of No.47.

The houses to the rear, in particular those on plots 5 and 6, would however result in a number of windows looking directly towards the rear garden of No. 47 at a distance of around 9m from the boundary, two of which are primary bedroom windows. Although the proposed 3m high pleached hedge would ensure that no views could be obtained from ground floor windows, screening from the upper floors is reliant on the retention of some overgrown evergreen trees. These have spread considerably to the extent that they cover much of the garden area of plot 6, leaving a further reduced amenity area to serve that house. With the close proximity of these trees to the kitchen/dining area and garden access, there is likely to be considerable pressure to remove these trees which, given their poor quality, would be difficult to resist, even if their retention was secured by means of a condition. The loss of the trees would result in views being obtained over much of the neighbour's rear garden, with subsequent loss of privacy and amenity.

The loss of the trees would also, to a more limited extent, enable views across the rear gardens of properties in Vernham Road to the south east of the site though these would be at a more oblique angle and the rear of the properties themselves are at a sufficient distance not to be unduly affected.

No.26 St Matthews Road is located to the south of the site and whilst the mature evergreens that formerly provided screening along the boundary has been removed this has had little direct impact on No. 26, which has a garage nearest to the boundary and will not be affected by loss of light or outlook. There are no windows proposed in the south elevation of plot 6 and therefore no loss of privacy due to overlooking.

Landscape/Trees

There are a number of existing trees around the boundary of the site, the most significant of which are along the frontage with Stoney Lane, where there are a group of three trees near the centre of the front boundary, comprising two silver birch and a crab apple and a further two silver birches at the north western corner. These trees together are of considerable value to the visual amenities of the area, being visible in longer views along Stoney Lane, particularly as this part of the road has fewer mature roadside trees than is characteristic of the road in general. Their importance has been recognised by them being made the subject of recent tree preservation orders (TPOs).

At the time of the previous application, the TPO was provisional, but was subsequently made permanent and this remains the current situation. An application for works to the trees, including the removal of trees T1 and T2, was refused and is currently at appeal. The proposal seeks to remove the group of trees in the centre of the boundary in order to provide a new access, necessary to ensure that cars could park and manoeuvre within the relatively narrow frontage area. It is considered that the loss of these trees would have a significant and unacceptable adverse impact on the visual amenities of the area to the detriment of its character and appearance.

It is acknowledged that replacement trees can be used to mitigate the loss of important trees though, given the maturity and the height of the specimens to be removed, it would take a significant number of years for a replacement to equal the contribution to the visual amenity of the area from the existing trees. Furthermore, given the constrained site area available, the majority of which is taken up with car parking, and

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

the closer proximity of houses to the frontage of the property it is debatable as to whether trees of an appropriate size and species could be accommodated.

There were, previously, a line of overgrown evergreen trees (Lawson Cypress) on the southern part of the site, the majority of which have been removed. A group in the south eastern corner of the site have been retained, though whilst these do serve to provide screening to the adjacent properties, are not of sufficient quality or importance to the visual amenity of the area to be protected by a TPO.

Highways/Parking

Parking provision, in accordance with adopted standards, has been provided for all units, though as noted by the highways officer, the spaces are of the minimum size possible and are constrained by soft landscaping. Suggestions were made for revisions to be made to the layout to address concerns, including ensuring that manoeuvring aisles and parking spaces are of a suitable width to avoid hedgerows, and subject to these alterations and appropriate conditions, no objection is raised by the highway authority.

Whilst no alterations have been made during the course of the application, it is recognised that the site is located in a sustainable location, with shops and public transport in reasonably close proximity. In these circumstances and providing the car parking and manoeuvring space that is available could be provided at sizes that accord with accepted standards, it is not considered that a reason for refusal on the grounds of insufficient on-site parking could be sustained.

The new vehicular access to the site from St Matthews Road also results in the reduction and relocation of the on-street permit holder/short stay parking bays, though this is less significant than the previous proposal where there were to be two accesses from the road. This has been agreed with the Highway Authority by means of a variation to the Traffic Regulation Order and it is confirmed that there is no objection to this in terms of highway safety. At present there is a 40m stretch of road that is marked as parking bays and providing space for around 7 cars. The proposal would result in the loss of at least 2 of these existing spaces, but alternative spaces are shown to the north, closer to the junction with Stoney Lane and the submitted plans provide space for 6 cars.

Whilst these spaces may not be fully used throughout the day, their proximity to the school does result in them being occupied regularly at the start and finish of the school day. However, notwithstanding the likelihood that, due to the lack of on-site visitors spaces, there will be increased demand for the fewer remaining on-street spaces, it is not considered that the loss of amenity to residents in the vicinity of the site is such that a reason for refusal could be sustained on this basis.

Ecology

A preliminary ecological appraisal confirmed that there are bat roosts in the area and crevices under the roof tiles which provide bat roost potential. Bat emergence surveys were therefore carried out and no bats were recorded entering or emerging from the building. Subject to conditions, to ensure the implementation of the mitigation and enhancement provisions of the Ecological appraisal and details of external lighting, it is not considered that the impact of the proposal on the ecology of the site would justify a reason for refusal on this basis.

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

However, the site is located in an area that is subject to additional controls over the discharge of nitrates and phosphorus (nutrients) due to its proximity to and impact on the Solent water environment, recognised as being internationally important for its wildlife. On the advice of Natural England it is therefore necessary for an assessment to be made for all new housing development and overnight accommodation that discharges waste water into the Solent (via the waste water treatment plants that feed into the main rivers across the Winchester District).

In relation to this proposal a Nitrate budget has been submitted, which demonstrates that the development would result in additional nitrogen being released into the sewerage system and appropriate mitigation will be required in order to achieve the neutrality that is required. In the absence of any possibility of providing any mitigation on the site, the applicants have completed the European Sites checklist, agreeing to a Grampian Condition, in accordance with the Councils position statement.

Other Matters

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Conclusion

The proposal would result in a cramped form of development which would be out of keeping with and detrimental to the character and appearance of the area

Recommendation

Refuse for the following reasons:

1. The proposed development would, by reason of its size, scale, layout and prominent location, result in a dense and intrusive form of development which would be out of keeping with the pattern and spatial characteristics of the surrounding area to the significant detriment of its character and appearance. The proposal would therefore be contrary to Policies WT1 and CP13 of Winchester District Local Plan Part 1 - Joint Core Strategy, policies DM15, DM16 and DM17 of Winchester District Local Plan Part 2 - Development Management and site Allocations and Supplementary Planning Document - High Quality Places.
2. The proposed dwellings would, by reason both of their close proximity to each other within the development site and to the neighbouring property to the east, have an overbearing and unacceptable impact on the amenities of the occupants of those properties through loss of outlook and privacy through potential overlooking. The proposal would therefore be contrary to policy DM17 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations.
3. The proposal would result in the loss of trees, covered by a Tree Preservation Order to the detriment of the visual amenity of the surrounding area. It would

Case No: 19/01874/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

therefore be contrary to policies CP20 of Winchester District Local Plan Part 1 and DM23 of Winchester District local Plan Part 2.

Informatives:

1. In accordance with paragraphs 186 and 187 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:
 - offer a pre-application advice service and,
 - update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.In this instance no formal pre-application advice was sought.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
 - Local Plan Part 1 - Joint Core Strategy: MTRA1, CP2, CP3, CP11, CP13, CP14, CP16, CP20
 - Local Plan Part 2 - Development Management and Site Allocations: WIN1, DM1, DM15, DM16, DM17, DM18, DM24