

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/02773/HOU
Proposal Description: Detached wooden shed with a pitched roof in rear garden (3.65m length x 2.15m width, 2.62m height; retrospective; amended proposal)
Address: 55 Milland Road Winchester SO23 0QA
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Mrs Jane Willing
Case Officer: Marge Ballinger
Date Valid: 13 December 2019
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2FVWZBPI9J00>

Pre Application Advice: N/A



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Case No: 19/02773/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

The application is reported to Committee as there was an objection received that was considered material to the planning assessment, and the dwelling is owned by Winchester City Council.

Site Description

The application site is a mid-terraced 2-storey red-brick dwelling within land of approximately 116m² off of Milland Road, located north of the new leisure centre site and east of Bar End Road. The dwelling's rear garden is south-facing and is approximately 36m² and slopes gently down from north to south. The rear garden has wooden fences to all boundaries with gate access through the rear, and decking throughout. Behind the rear garden is a shared parking area serving the dwellings.

The houses along this terrace have existing brick outbuildings that have been built 1.2m wide and 2.9m in length with a dual-pitched roof over the boundary, providing outdoor storage to each of the four dwellings along this terrace. The brick structure to no.55 sits within the southeast rear corner of the garden.

Proposal

The proposal is for a retrospectively-built outbuilding that replaced a previous plastic shed (previously removed), and is sited within the southwest corner of the property. The outbuilding is wood, stained brick-red, and has been built to provide secured storage for two motorcycles and accessories. The outbuilding has been stained/painted black on the side facing adjacent neighbour no.53 (west). The outbuilding measures 3.65m in length, 2.15m width, and 2.62m height from ground level to the overall roof ridge. The roof is dual-pitched and the outbuilding has 2 high windows along the east elevation that face toward the applicant's rear garden structure.

The applicant had purchased the outbuilding that was built to be within permitted development height of 2.5m, but due to the existing plumbing/drain, the outbuilding had to be raised over the plumbing works which brings the height up to 2.62m over all (12cm difference) along the rear of the structure. The front of the structure has been lowered into the ground toward the front to reduce the visual impact within the sloping garden. A bat box has been placed outside face toward the apex to encourage wildlife.

Relevant Planning History

84/01262/OLD (W7966) - 20 two-bedroom houses, 18 one-bedroom flats and 6 two bedroom flats – permitted 28.03.1984. (Permitted development rights are still intact.)

Consultations

WCC Service Lead for Housing - Housing Officer – no objection

WCC Service Lead for Environmental Services - Drainage Engineer – no objection but recommended a condition for guttering (see condition 02).

Case No: 19/02773/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Representations:

City of Winchester Trust: No comment in support or objection, but considers the outbuilding is large for a small garden; suggested temporary permission for the lifetime of the outbuilding.

One letter received from adjacent no.53 objecting to the application for the following material planning reasons:

- The outbuilding is out of scale (too large) for the small garden.
- The black colour along the west elevation is oppressive to no.53
- The outbuilding is overbearing to no.53's rear garden, especially with the additional existing brick garden structures.

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

- The views from no.53's garden toward eastern/rear corner is obscured.
- Fences will need replacing where the outbuilding is located as it is currently bowed.
- Applicant had to access no.53's rear garden without permission for installation.

One letter of support received from adjacent no.57 raising the following material planning reasons:

- The outbuilding is lower than the existing brick outbuilding and does not interfere with wildlife or sunlight amenities.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
DS1

Winchester Local Plan Part 2
DM16, DM17

National Planning Policy Guidance/Statements:
National Planning Policy Framework Section 12

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. The proposal is within the settlement boundary of Winchester where the principle of development is acceptable providing it complies with the relevant policies.

Design/layout

Policies DS1, DM16 and DM17 refer to site design principles requiring all development to respond favourably to the character, appearance and variety of the local environment in terms of design, scale and layout; and not to have an adverse impact on adjacent sites by reason of overlooking, overshadowing or overbearing.

Case No: 19/02773/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The rear garden to no.55 had a previous plastic storage structure within a similar location. Although the retrospective outbuilding is within a larger footprint as the previous, the use of stained wood visually compliments the surrounding red-brick structures. DM16 (site design criteria) requires that development should have a satisfactory visual appearance and use appropriate materials. As the outbuilding is not considered a primary structure, the use of wood as a lightweight material retains the building's purpose as a subordinate structure and does not compete with adjacent dwellings.

The outbuilding is used for secure storage of two motorcycles and other accessories. Although the outbuilding covers approximately 25% of the rear garden's footprint, the use is maintained for ancillary storage and can be accessed off of the rear doors that open onto the adjacent parking yard – hardstanding that is used primarily for parking. Based upon the above assessment, the building therefore complies with DM16 as the design and materials respond favourably to the area's character (within and surrounding the site), and the siting along the rear garden maintains its subservience to the existing dwellings.

Impact on character of area and neighbouring property

The outbuilding required planning permission due to its roof ridge measuring 12cm higher than what would be permitted (2.5m) under Class E (buildings incidental to the enjoyment of a dwellinghouse). The boundary to the adjacent dwelling west (no.55) is a wood fence up to 2m high approximately and the side of the outbuilding facing the rear garden to no.55 was painted black which is a recessive colour. The outbuilding is positioned approximately 3.4m away from the rear elevation to no.55, and the under-eaves height approximately 43cm above the fence, pitching up and away to 2.62m overall at ridge, it is not considered that the outbuilding has an overbearing impact to the adjacent garden to no.55.

The rear gardens of the row of terraced dwellings are south-facing toward an open parking yard beyond. There are no high hedges or planting beyond the rear fences or outbuildings to hinder natural light to the properties. The proposed outbuilding and its overall height are not considered to have a harmful impact to adjacent land in terms of overshadowing. Based upon the above assessment, the proposal complies with policy DM17 in regards to neighbouring amenities.

It is noted the outbuilding does not have guttering installed and is positioned close to the boundary fence. In order to provide adequate surface runoff that will not impact the adjacent property no.53, a condition will be added to install appropriate guttering within 2 months of the permission (see condition 02). This will ensure the application complies with DM17(iii), drainage.

Landscape/Trees

The retrospective outbuilding has replaced a previous small garden structure without further impact to existing landscape or trees.

Highways/Parking

The use of the outbuilding is for on-site, secured storage of two motorcycles and

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

accessories. It is not considered that the storage will impact existing access and parking arrangements to the area as the shed is adjacent an existing parking yard.

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.

Recommendation

Permission, subject to the following condition(s):

Conditions

1. The development hereby approved shall be as built on site and shown in the following plans received:

- Location Plan received 13 Dec 2019
- Site Plan received 13 Dec 2019
- Block Plan received 13 Dec 2019

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

2. Details of the guttering to remove surface water from the roof of the permitted shed and discharge to either a water butt or soakaway shall be submitted to and approved by the Local Planning Authority within 1 month of the date of this permission, and must be in place within 2 months following the determination date of this planning permission.

Reason: To ensure an adequate provision for surface water drainage is installed in accordance with the details submitted and approved by the Local Planning Authority.

Informatives:

1. In accordance with paragraph 38 of the NPPF (Feb 2019), 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 applicant.

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

- Local Plan Part 1 Joint Core Strategy: DS1
- Local Plan Part 2: DM1, DM16, DM17

Case No: 19/02773/HOU

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

3. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.