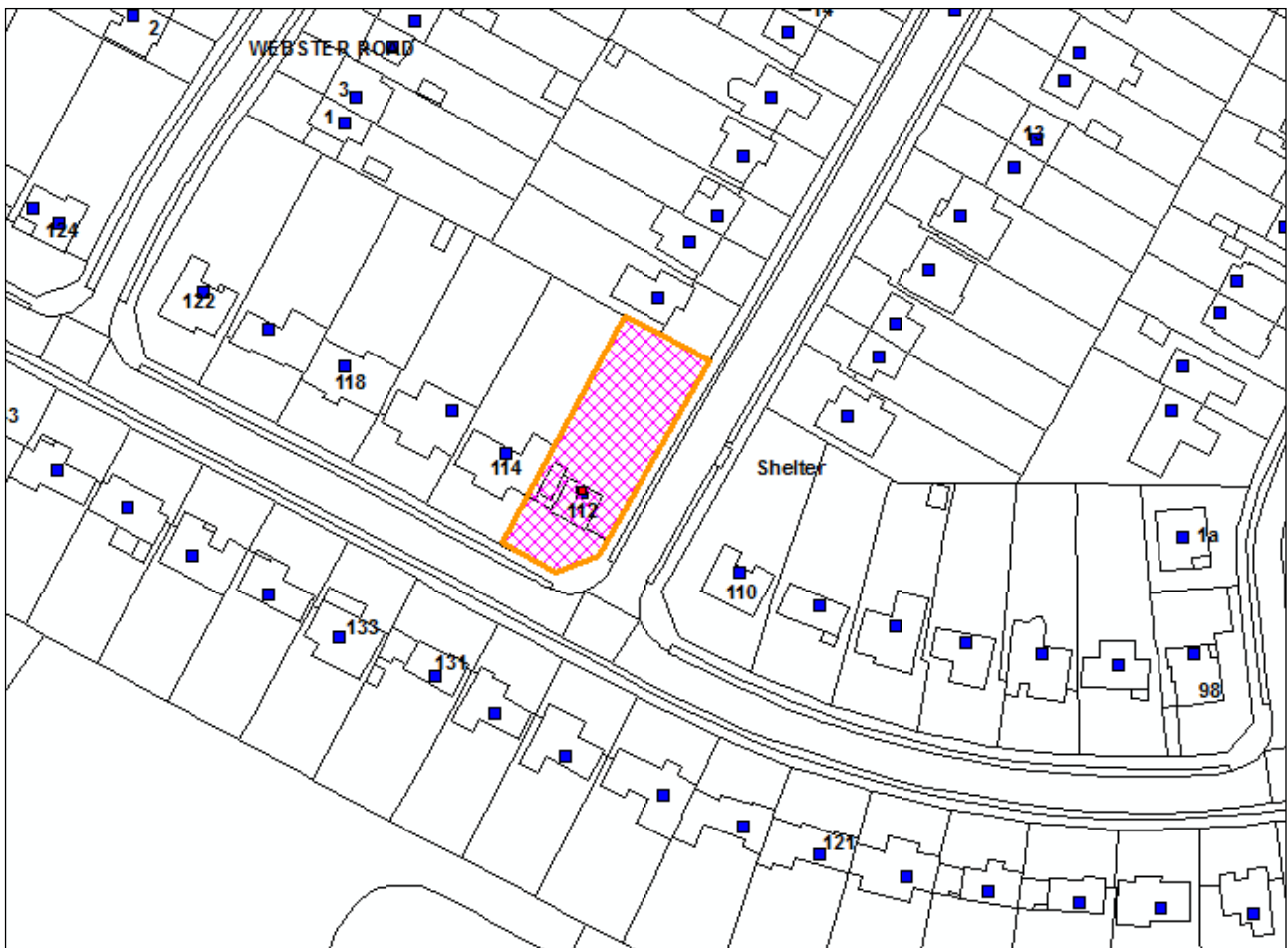


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PLANNING COMMITTEE

**Case No:** 20/01390/FUL  
**Proposal Description:** Erection of 2no. 3 bedroom dwellings with associated vehicle access  
**Address:** 112 Teg Down Meads Winchester SO22 5NZ  
**Parish, or Ward if within Winchester City:** St Barnabas  
**Applicants Name:** Mr Peter Arculus  
**Case Officer:** Liz Marsden  
**Date Valid:** 31 July 2020  
**Recommendation:** Permit

**Link to Planning Documents :** <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QCWXOBPLC900>

**Pre Application Advice:** Yes



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**General Comments**

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

**Site Description**

The site is an area of 0.08ha, located on the corner of Teg Down Meads and Hillside Road. The longer road frontage to the side of the house and its rear garden is along Hillside Road, currently defined by a close boarded fence. The existing house, No.112 Teg Down Meads is set at the southern end of the site.

The land levels of the garden are uneven, gradually sloping down along its length from south to north and from west to east, with the section of the garden nearer Hillside Road being at a steeper incline. This reflects the topography of the wider area which slopes down from the west to the north and east. The overall differences in land levels on the area the dwellings are to be located is around 1m from south to north and 1.5m from west to east.

The surrounding area is predominantly residential, the regular layout of which is characterised by dwellings set back from the road in good sized plots, resulting in a distinctive pattern of development that has been little altered since the estate was built. The properties in the immediate vicinity of the site are a mixture of house types, including detached and semi-detached houses.

**Proposal**

The proposal is for the development of two dwellings in the rear garden of no.112, with access taken from Hillside Road. This shows a pair of semi-detached bungalows, with rooms in the roof space served by large flat roofed dormers in the front elevation and roof lights in the front and rear roof slopes. A flat roofed extension to the rear of each bungalow is to have a green roof. Two car parking spaces are provided on the frontage of each dwelling and there are small garden areas to the rear which will provide some private amenity space.

The land on which the dwellings are to be located is to be reduced in height across the full width and length of the site in order to create a level site. At the highest point at the south west corner, this will require a reduction of 2.15m and at the lowest point in the north east corner, around 0.5m. As a result the building will be set below the level of the road and the houses to either side.

The proposal will result in an overall density on the site of 37.5 dwellings per hectare.

**Relevant Planning History**

No relevant planning history

**Consultations**

Service Lead for the Environment: Drainage: No objection subject to condition to ensure satisfactory drainage.

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HCC Highways: No objection subject to conditions

Natural England: No objection subject to condition

Southern Water: Exact position of public foul sewer must be determined by the applicant. Formal application to Southern Water is required for connection to the foul and surface water sewers.

**Representations:**

City of Winchester Trust: Object. This scheme represents a departure from the character of the area, namely 2 full storey houses beneath pitched roofs in generous garden settings. The proposal for 2 x 3 bed dwellings overcrowds the site and provides little amenity. Also support the neighbourhood objections as regards its location opposite the bus stop and proximity to a road junction

32 letters, from 29 households, received objecting to the application for the following material planning reasons:

- Over-development of the site and out of keeping with the spatial characteristics of the area, where infill plots have not been allowed previously.
- Contrary to policy guidance in that it will not make a positive contribution to the area
- Will result in very small gardens that are inadequate for family houses
- Should be a maximum of one house on the site if it has to be developed.
- Design of the houses with dormers, appearance of flat roofs and materials to be used are inappropriate and not in keeping with the character of the area and will be intrusive.
- Internal layout of dwellings will result in dark rooms and inadequate quality of life.
- Limited space could result in pressure for extensions and an increase in height
- Does not comply with the recommendations of the St Barnabas West Neighbourhood Design Statement
- Over-bearing in the outlook from neighbouring properties and could cause shading and loss of light
- Loss of privacy through overlooking of property to the rear.
- Lack of detail about retaining walls and could result in instability of land in adjacent properties.
- Excavation of the site could affect drains in the area
- No room for soakaways and lack of surface water drainage could cause problems
- No mitigation for loss of biodiversity – there are ponds within 60 of the property.
- Car parking on frontage will detract from the open plan character of the surrounding area
- Will lead to parking on the road and increased hazard to other users of the road
- Accesses opposite a bus stop and will have an adverse impact on highway safety

1 letter of support received for the following material planning reasons:

- Plans well thought out and in keeping with the area
- Much needed addition to the housing stock

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**Relevant Planning Policy:**

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

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

National Planning Policy Guidance/Statements:  
National Planning Policy Framework

Supplementary Planning Guidance  
High Quality Place 2015

Other Planning guidance  
St Barnabas West – Neighbourhood Design Statement 2007

**Planning Considerations**

Principle of development

The site is located within the settlement boundary of Winchester where, in principle, new residential development is generally acceptable subject to its impact on the character and appearance of the surrounding area and neighbouring amenity.

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. The proposal is for two 3 bed dwellings which would accord 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. However, the primary determinant will be how well the design responds to the general character of the area and this is discussed below.

Design/layout

The layout of the development has been designed to make effective use of the site whilst retaining adequate amenity for the future occupants. The position of the new dwellings is determined primarily by the size and shape of the site, which is relatively shallow in relation to the length of road frontage. As a consequence, the dwellings have been set further forward on the site than the majority of houses on Hillside Road, but is in line with the side of 112 Teg Down Meads. The properties are still set back at a sufficient distance from the road to provide adequate parking along the frontage of the properties.

The development of the northern part of the garden will significantly reduce the garden area available to the house, particularly when compared to the extensive gardens of other houses the area. However the generous width of the plot (around 17m) ensures that an adequate and useable space remains to serve the dwelling. The gardens of the new dwellings are very modest in size with the smallest being around 35 sq.m, allowing for the width of the retaining wall. They do, however, provide enough space for an

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outdoor seating area and washing line and are considered to be in line with modern urban living, in accordance with policies CP13 and CP14 of LPP1 and DM15 and DM16 of LPP2.

Impact on character of area

The site is prominent in views from the surrounding area due to its corner location and the topography of the area as a whole. In particular, the proposed new dwellings, which are set closer to the road than the houses to the north will be visible in views looking south up Hillside Road and will therefore have some impact on the existing street scene. However, they are in line with the existing dwelling on the site part of which, due to its position on higher land and full two-storey design, will still be visible behind the new dwellings in longer views from this direction, as will the adjacent properties along Teg Down Meads to the south and west. From the junction of Teg Down Meads and Hillside Road to the south, the new dwellings would obscure the side elevation of 2 Hillside Road, though the roof of that property would be visible above the ridgeline. The proposed dwellings would therefore be viewed in the context of existing built form rather an intrusive element in an entirely open gap.

In terms of plot width, the proposed dwellings are comparable to the properties along Hillside Road, with a total frontage of 22m (10m for plot 1 and 12m for plot 2), wider than the majority of semi-detached properties along the road, which average around 18m in total. Plot widths of detached properties are generally between 12 and 13 metres, with the adjacent house, No.2, being 12m. Whilst set in generous sized plots, many of the houses along Hillside Road have built up close to their boundaries, leaving limited gaps between them so that the spacious nature of their gardens is not apparent in the streetscene. The current proposal does in fact leave wider spaces to either side than is typical of the area, but not so wide that the shallow depth of the plots would be apparent from public vantage points. Overall it is considered that the dwellings can be accommodated in this location, without undue harm to the character and appearance of the area.

It is acknowledged that the new dwellings are different in design to those in the immediate vicinity of the site, which are all two-storey in height with relatively shallow pitched roofs. The current proposal is single storey with a steep pitched roof which allows accommodation in the roof space, served by large flat-roofed dormers. These dormers are, however, set spaced widely and set sufficiently below the level of the ridge line to avoid the appearance of a flat roofed building. The facing bricks, as shown on the plans submitted with the application are similar to the yellow/buff bricks characteristic of a number of properties in the area and though the slate roof is a departure from the brown concrete tiles that are prevalent in the area, it serves to emphasise the simple design of the dwellings. The resultant properties, whilst contemporary in design, are considered to provide an acceptable contrast to the more traditional houses in the vicinity and it is not considered that the proposals will appear unduly incongruous or out of keeping with the area as a whole.

Based upon the above assessment it is considered that the proposal respects the character and appearance of the area and accords with policy CP13 of LPP1 and policies DM15 and DM16 of LPP2.

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Impact on neighbouring properties

The most significant impact would be to no.2 Hillside Road, located to the north of the site. This is set further back on its plot, so that the majority of the side elevation of plot 2 will be set forward of the front of no.2. A gap of around 5.8m is retained between the existing and proposed houses and the proposal will not intrude into the 45 degree angle from the front window of no. 2 or result in an overbearing or detrimental impact on the outlook from that property.

There is a window at first floor level in the southern side elevation of no.2 which currently looks out over the garden of 112 Teg Down Meads. Whilst the new building is not directly in line with the window and would have limited effect on any direct light into it, the proposal will be very apparent in views from the window, though the pitch of the roof away from the window would reduce this impact somewhat. The position of the window, which appears to serve a bedroom, will limit the privacy available to the occupants of plot 2, though this would be evident prior to occupation.

With regard to the impact on other neighbours, no 112 and 114 Teg Down Meads are located to the south of the site and at a sufficient distance to ensure that they would not be unduly affected by loss of light, particularly given the lower level on which the dwellings are to be sited. There are roof lights in the rear (west) elevation which serve an en-suite bathroom and the stairwell, but these are at a high level and will not afford any views over the garden of No.114 so as to result in loss of privacy.

Based upon the above assessment it is considered that the proposal accords with policy DM17 of LPP2.

Highways/Parking

Both the dwellings have three bedrooms and there is a requirement for 2 parking spaces per unit, which are provided on the frontage of the property. Access is to be taken directly off Hillside Road and there is no possibility of cars turning on the site in order to be able to exit in a forward gear. This, however, is the same as many other properties along Hillside Road and Teg Down Meads and it is not considered that the additional traffic resulting from these units would result in an adverse impact on highways safety. It is therefore considered that the proposal accords with policy DM18, the Residential Car Parking SPD and the Manual for Streets.

Ecology

The site is located in an area where Natural England has raised concern regarding the continued discharge of nitrates and phosphorus (nutrients) due to its proximity to and impact, resulting from eutrophication, on the Solent water environment, recognised as being internationally important for its wildlife and safeguarded by Special Protection Area designations. 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.

The applicants have agreed to the Grampian condition, set out in the Council's Position Statement on nitrate neutral development. An Appropriate Assessment has been undertaken in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017 and policy CP16 of the Local Plan Part 1 and, subject to the  
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provision of these mitigation measures, the development will not result in an adverse impact on the ecology of the area and is therefore acceptable in this respect.

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 as statutory planning authority for the council.

Conclusion

The proposed development is an effective use of land and the dwellings can be accommodated without a significant or detrimental impact on the character and appearance of the surrounding area or the residential amenities of occupants of adjacent properties. The proposal is therefore in accordance with policies of the Development Plan.

**Recommendation**

Permission subject to the following condition(s):

**Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

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

1936\_1001 rev. B – Proposed block plan  
1936\_1002 rev. C – Proposed site plan  
1936\_2000 rev. B – Proposed ground floor plan  
1936\_2001 rev. B – Proposed first floor plan  
1936\_3001 rev. B – Proposed north and east elevations  
1936\_3002 rev. B – Proposed south and west elevations

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

3. No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the proposed dwellings hereby permitted have been submitted to and approved in writing by the Local Planning

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Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

4. No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings.

5. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before occupation of the building.

Reason: To ensure satisfactory provision of foul and surface water drainage

6. Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy

7. Prior to the commencement of development the access shall be constructed with the visibility splays of 2.4 by 43 metres and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 90 centimetres above the level of the existing carriageway at any time.

Reason: In the interests of highway safety

8. The development hereby approved shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.

Reason: To ensure adequate parking provision in the interest of highway safety.



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9. The development hereby permitted shall NOT BE OCCUPIED until:
- a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
  - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and,
  - c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Local Plan Part 1.

10. Prior to the occupation of the dwelling hereby permitted detailed information (in the form of SAP "as built" stage data and a BRE water calculator) demonstrating that all homes meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall occupied in accordance with these findings.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no development permitted by Classes A, B, C, D and E of Part 1 Schedule 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

**Informatives:**

1. In accordance with paragraph 38 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 pre-application advice was provided.

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2. 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, CP14, CP16,  
Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18
3. This permission is granted for the following reasons:  
The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.
4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
5. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.
6. the developer should be made aware that subject to any planning permission that may be granted by the Local Planning Authority, a subsequent permission will need to be granted by HCC as Highways Authority to undertake the dropped kerb works on the highway. Details of this procedure can be found via the following link:  
<https://www.hants.gov.uk/transport/parking/droppedkerbs>
7. The exact position of the public sewer must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.
  - The 225 mm diameter gravity foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.
  - No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
  - All existing infrastructure should be protected during the course of construction works.Please refer to: [southernwater.co.uk/media/default/PDFs/stand-off-distances.pdf](https://southernwater.co.uk/media/default/PDFs/stand-off-distances.pdf)  
  
Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.  
  
Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.