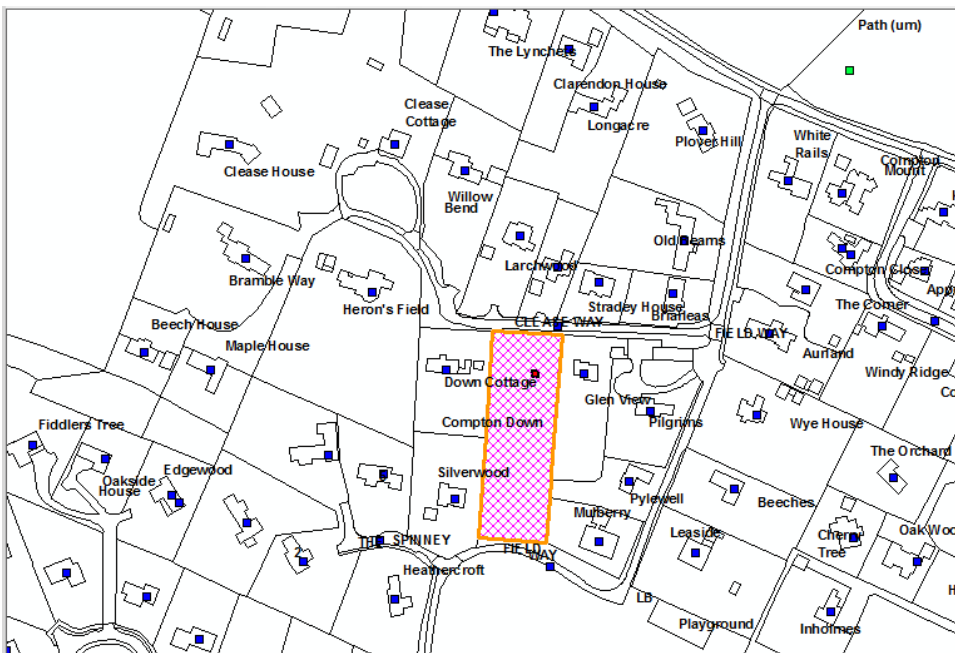


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 20/01502/FUL
Proposal Description: Variation of Conditions 11 and 12 (15/02867/FUL). Alterations to the patio, landscaping, boundary treatments and closure of one access to the site.
Address: Erdely Clease Way Compton Down Winchester Hampshire
Parish, or Ward if within Winchester City: Compton And Shawford
Applicants Name: Mr R Manrair
Case Officer: Verity Murphy
Date Valid: 21 July 2020
Recommendation: Permit

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QDK6AVBP0XU00>

Pre Application Advice: No



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General Comments

The application is reported to Committee due to the number of objections received which are contrary to the officer recommendation for approval.

Amended plans were received 3rd November 2020. These show an extension of the proposed fence with trellis atop along the entire boundary with Down Cottage to the west of the site in response to neighbour objections with the scheme. The amended plans also include a drainage brick within the front wall, and a hedge to be retained at the height of the wall, at the request of the neighbouring property. The hedge along the inside boundary of the site has also been removed within the amended plans.

Site Description

The application site is located within the settlement boundary of the Compton. Planning permission was granted under application 15/02867/FUL for a replacement dwelling which is currently being built out on the site, the majority of building works are nearing completion. The replacement dwelling is large and includes 4 garages, two on each side of the driveway. The garage to the east of the site has annexe accommodation over. The dwelling is traditional in design and is set within a generous plot.

The character of the surrounding area is characterised by large dwellings within large plots and Compton Down has a very spacious green semi-rural character.

Proposal

The application seeks to vary conditions 11 and 12 of 15/02867/FUL, to allow alterations to the patio and landscaping of the site, to close one access, and to change the northern (front) and western boundary treatments.

This application only deals with these elements, as the construction of the replacement dwelling has already been approved and implemented.

Relevant Planning History

15/02867/FUL (PER 07.03.2016) Demolition of existing dwelling and construction of replacement dwelling.

11/01564/FUL (PER 05.09.2011) Erection of detached dwelling and detached double garage following demolition of existing dwelling

Consultations

Service Lead Environmental Services: Landscape

No general objection is raised.

Representations:

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Compton and Shawford Parish Council

- No comments received

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

- Railings on the wall are out of character with the area
- Brick wall is out of character with the area
- Impact of the development on trees
- Flooding
- Impact on neighbouring amenity
- Impact of fence on hedge along eastern boundary of the site
- Replacement trees not in keeping with the area

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

0 letters of support received.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

Policy DS1 – Development Strategy and Principles
Policy CP13 – High Quality Design

Winchester District Local Plan Part 2 – Development Management and Site Allocations

Policy DM15 – Local Distinctiveness
Policy DM16 – Site Design Criteria
Policy DM17 – Site Development Principles
Policy DM18 – Access and Parking

National Planning Policy Guidance/Statements:

Section 4 of National Planning Policy Framework 2019
Planning Practice Guidance

Planning Considerations

Principle of development

The application site is located within the defined settlement boundary of Compton, where the principle of residential development is acceptable provided the development is carried out in accordance with the relevant policies of The Development Plan and unless material planning reasons indicate otherwise.

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Application 15/02867/FUL permitted a replacement dwelling and approved a patio to the rear of the site, a brick wall to the front of the site and close boarded fencing along the boundaries of the site. The principle of alterations to these elements is considered to be acceptable in principle.

Impact on character of area and neighbouring property

The height of the patio is to be approximately 0.9 metres from ground level, however as the top layer of earth has been displaced to make way for construction works, the measurement of 0.9 metres is to be taken from the ground level when the soil is put back.

Under application 15/02867/FUL, the patio wall is shown as having a straight edge onto the rear garden, however this application seeks to regularise the as-built patio which has been slightly realigned with a small dog leg within the centre of the wall.

The boundary wall running along the top of the patio will now be constructed straight across and will be comprised of a small four course brick wall with a balustrade on top of it. The height of this balustrade will be approximately 1100mm. In front of the balustrade will be an area of mixed planters, stones and a rockery with some low level planting to cascade down the front patio wall. In front of the patio wall (at ground level) will also be some low level planting.

On the western side of the patio, facing towards the boundary with Down Cottage, will be planters with 5 x 1.8 metre laurels to provide additional screening along the western boundary. The changes to the patio are considered to be minor alterations which do not significantly alter the approved plans or the impact of the development on the character and appearance of the dwelling, the surrounding area and neighbouring amenity.

The proposal also seeks to add railings to the already approved brick wall forming the front boundary of the site under 15/02867/FUL. The railings will be 0.4 metres in height and will be located on top of the brick wall which is 0.7 metres in height, the total height of the front boundary will be approximately 1.1 metres. The inclusion of railings has resulted in objections being received from local residents who are concerned about the impact of these on the semi-rural character of Clease Way. Whilst the inclusion of railings would add 0.4 metres to the approved brick wall, the front boundary is still considered to be relatively low in height, allowing views of the site from the public realm. There are other examples of brick walls within the Compton Down and the proposal is not considered to have a significant impact on the character of the street scene or surrounding area. Notwithstanding this, in response to objections the applicant has agreed to maintain the height of the hedge in front of the wall to the same height as the railings in order to ensure a softer and more verdant appearance from the street scene.

This application includes the blocking up of one entrance to the site, with the brick wall continuing across this location. Objections have been received in relation to flood water not being able to escape from the site if this access is blocked up. It is not considered that the removal of an access would have any significant impact on flooding or surface water run-off, however in order to address the concerns of residents, the applicant has agreed to provide a drainage brick within the front wall to allow water to flow through this.

There will be changes to the western boundary of the site. Under application
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15/02867/FUL a 1.8 metre close boarded fence was approved along the western boundary of the site. In response to neighbour concerns, the applicant agreed through the original plans submitted with this application to provide a 0.3m of trellis atop the close boarded fence to the point where the patio ended. Following discussions with the neighbouring property at Down Cottage, the applicant has further agreed to extend this trellis along the entire boundary with this neighbour. It is important to note that this extra screening is not required in planning terms, as a 1.8 metre close boarded fence was approved along this boundary under 15/02867/FUL, the additional trellis has been added by the applicant to improve the situation for the neighbouring property.

The alterations proposed under this application are not considered to result in any significant harm to the character and appearance of the area or neighbouring amenity over and beyond that already approved under application 15/02867/FUL. The additional screening added under this application will improve the situation for the neighbouring properties. The proposal accords with Policies DM15, DM16 and DM17 of Local Plan Part 2.

Landscape/Trees

Objections have been received in relation to the loss of the cherry tree along the western boundary of the site, this tree was approved to be removed under the previous application as detailed within the submitted Arboricultural report relating to application 15/02867/FUL.

Objections have also been received in relation to the tree planting at the front of the site. The proposed landscaping includes 7 trees along the front boundary of the site, 6 of these are to be green spire trees which were previously approved under 15/02867/FUL and a replacement cherry tree in the north western corner of the site. The approved scheme provided 8 green spire trees along the front boundary. A consultation with WCC Landscape Officer has confirmed that a cherry tree would be acceptable and most suitable for a location that is close to a telegraph pole and to the foundations of the garage behind it.

The hedge which was approved to be planted along the internal boundaries of the site is to be removed under this application. This is because there is already substantial hedging/tree cover along the boundaries and a new hedge in front of the close-boarded fence is not considered to add any further significant screening along the boundaries; WCC Landscape Officer does not have any objection to the removal of this hedge.

The proposed alterations to the landscaping of the site are not considered to result in any significant harm to the character and appearance of the area. The proposal accords with Policies DM15, DM16 of Local Plan Part 2.

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

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considerations do not outweigh any matters in the exercise of our duty as statutory planning authority for the council.

Recommendation

Permit subject to the following condition(s):

1. The proposed development shall be undertaken in accordance with the following approved plans:

15/15/02867/FUL:

W1466 PO5 - proposed ground and first floor plans

W1466 PO6 - proposed second floor plans

W1466 PO7 - proposed elevations

Landscape Plan Drawing No. 16 Hillier Landscapes Ref AP

20/01502/FUL:

Proposed Landscaping Plan Drawing 19/780/10 REV E

Reason: In the interests of proper planning and for the avoidance of doubt and to ensure the development is carried out in accordance with the relevant policies of The Development Plan

2. The hard and soft landscaping of the site shall be carried out in accordance with the following landscaping plans, hereby permitted:

- Proposed Landscaping Plan Drawing 19/780/10 REV E
- Landscape Plan Drawing No. 16 Hillier Landscapes Ref AP
-

The works shall be carried out before the use hereby permitted is commenced and prior to the completion of the development or in accordance with the programme agreed with the Local Planning Authority. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity of the area and to ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs

3. The first floor dressing room and en suite floor window(s) in the west and east elevation of the dwelling hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.

Reason: To protect the amenity and privacy of the adjoining residential properties

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4. The annexe hereby permitted shall only be used as ancillary accommodation to the main dwelling and at no time sold or separated from the main dwelling.

Reason: The highways network is not sufficient to accommodate an increase in dwellings.

5. The garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other ancillary domestic storage purposes, and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

Reason: In the interests of the visual amenities of the locality

6. The measures as detailed in Section 6 of the Bat Survey and Mitigation Report (Aluco Ecology Ltd December 2015) shall be implemented in full and the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: to ensure the favourable conservation status of bats in the interests of the amenities of the area.

7. The hedge on the northern boundary, hereby permitted, shall be retained and maintained at the height of the railings, unless otherwise agreed in writing with the Local Planning Authority. If within a period of five years after implementation of the development hereby approved any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the existing landscape character of the plot and surrounding area is maintained in accordance with the approved designs.

Informatives:

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, 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.

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

Winchester District Local Plan Part 1 (2013): CP13

Winchester District Local Plan Part 2 (2017): DM1,DM15, DM16, DM17

Winchester District High Quality Places Supplementary Planning Document

3. In accordance with paragraph 38 of the 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:

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- 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.

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