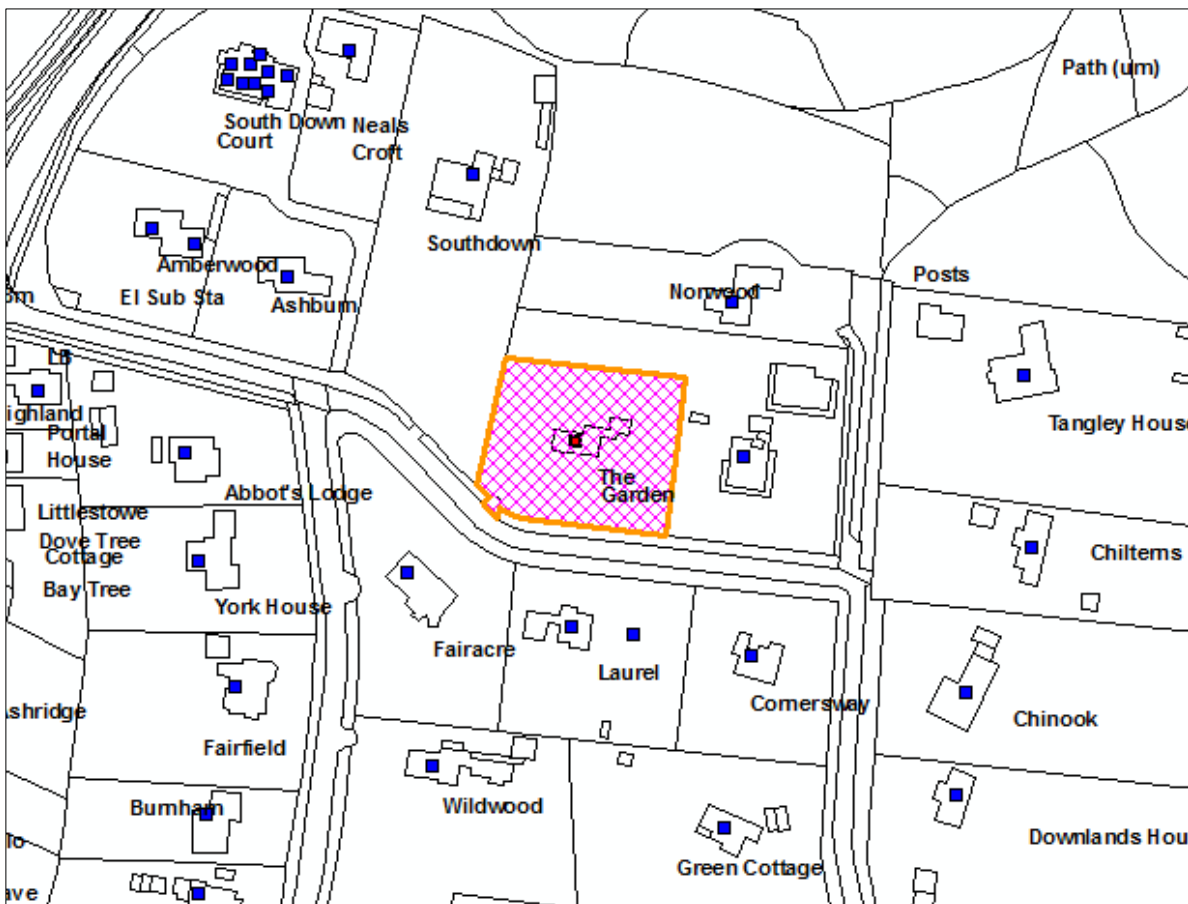


WINCHESTER CITY COUNCIL
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Case No: 20/01589/FUL
Proposal Description: 2 No. dwellings, garages, landscaping and access. Demolition of existing dwelling.
Address: The Garden House, Southdown Road, Shawford, SO21 2BX
Parish, or Ward if within Winchester City: Compton And Shawford
Applicants Name: Mr S Perry
Case Officer: Catherine Watson
Date Valid: 21 September 2020
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Pre Application Advice: No



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General Comments

Application is reported to Committee due to the number of objections received, contrary to the officer's recommendation to permit.

Site Description

The existing site is a square plot of approx. 0.2 hectares situated on Southdown Road, within the settlement boundary of Southdown. It contains a single, centrally positioned two storey dwelling. The site is bounded on all four sides by mature shrubbery, hedges and trees, along with some additional close boarded fencing. The existing access is defined by two curved brick walls on either side which are set back from the road, and is splayed to the front of the existing hedging.

Proposal

The proposal is for the demolition of the existing dwelling and the construction of 2 new dwellings with associated development including a second access and driveway, as well as a detached garage for Plot 2.

Relevant Planning History

None relevant.

Consultations

Service Lead for the Built Environment: Drainage

The site is in Flood Zone 1 and is at very low risk of surface water flooding. A foul sewer is available for foul drainage. Surface water should drain to soakaways and permeable hardstandings where possible. Infiltration testing is required.

Service Lead for Public Protection: Contaminated Land

The proposals have been examined in detail and there are no adverse comments to make concerning the application. Conditions are recommended to be attached to any consent covering unexpected contamination and a requirement to submit a Construction Management Plan prior to development commencing.

Natural England

Regarding the Appropriate Assessment for nitrates impact, Natural England notes that as a competent authority, the Local Planning Authority has undertaken an appropriate assessment as required by the regulations. Natural England is satisfied that as competent authority, the Local Planning Authority is able to ascertain that the approach will ensure the proposal is nutrient neutral and the necessary measures can be secured in the form of a Grampian Condition.

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Southern Water:

A formal application for a connection to the public foul sewer must be made by the applicant or developer. The proposed development lies within or in very close proximity to a Source Protection Zone. The applicant needs to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and will need to inform Southern Water of the outcome of this consultation.

Representations:

Compton and Shawford Parish Council

- No comments received

8 letters received from 9 addresses, objecting to the application for the following reasons:

- There is already an issue with highway safety on Southdown Road, there is no speed limit, and the new access will exacerbate these problems;
- The development is not in keeping with the character of the area, where most properties have large gardens and are a maximum of 2 storeys in height, not 3 as is proposed;
- It is contrary to the Compton and Shawford Village Design Statement, which raises concerns about high density housing;
- Construction vehicles will cause damage to grass verges;
- There are problems with surface water runoff from the road, which could cause flooding when construction works are underway

1 letter received with comments neither objecting to, or supporting, the planning application:

- No objection to the proposed properties, but construction traffic must be kept within the site and not on the grass verges

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles;
MTRA1 – Development Strategy Market Towns and Rural Area;
MTRA3 – Other Settlements in the Market Towns and Rural Area;
CP1 – Housing Provision;
CP13 – High Quality Design.

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM1 – Location of New Development;
DM15 – Local Distinctiveness;
DM16 – Site Design Criteria;
DM17 – Site Development Principles;
DM18 – Access and Parking;
DM21 – Contaminated Land.

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High Quality Places Supplementary Planning Document 2015

Parking Standards Supplementary Planning Document 2009

Compton and Shawford Village Design Statement 2011

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Planning Considerations

Principle of development

The site is situated within the settlement boundary of Southdown and therefore there is a presumption towards residential development as set out in Policies DS1, MTRA3 and CP1 of LPP1 and policy DM1 of LPP2, provided that the proposal also complies with other relevant local and national planning policy.

Design/layout

The development is for the demolition of the existing two storey dwelling and the construction of 2no two storey dwellings with accommodation in the roof. Plot 1, to the west, has 5 bedrooms and Plot 2, to the east, has 6.

Both proposed dwellings are situated centrally within the existing plot, in a similar position to the current dwelling. Plot 1 will utilise the existing detached garage in the north-west corner of the plot, as well as the existing access and driveway. Plot 2 will have a new garage situated within the north-eastern corner of the site, but with a new access and driveway. Both accesses are from Southdown Road.

Plot 1 consists of an open plan kitchen/dining/family area, as well as lounge and study at ground floor level. The main entrance is situated on the side (west) elevation. At first floor level are three bedrooms with a bathroom and en-suites and at roof level there are another two bedrooms and play area/bathroom. In terms of design, the two main elements of the building have a gabled form to the front and rear.

The front of the property (that facing Southdown Road) has sliding doors at ground floor and a Juliette balcony at first floor level which overlooks the main garden amenity space. Materials are to be facing brick with hanging tiles at first floor level and above, natural slate roof and timber framed windows and doors.

Plot 2 consists of an open plan living/dining/kitchen space at ground floor level, three bedrooms with bathroom and en-suites at first floor level and an additional two bedrooms and a bathroom at roof level. The design differs to that of Plot 1 in that the roof is hipped with a flat ridge and there is a single storey side element to the west elevation. The main entrance is to the side (east) elevation and the front (south) elevation also has sliding doors at ground floor, plus an oriel window at first floor level which looks out over the main garden amenity space. There are small dormers situated within the roofslope to the south, east and north elevations. The proposed garage will consist of a car port, single garage, plus a garden room.

Whilst the new dwellings have living space over three floor levels, they have an appearance more of two storey dwellings with accommodation in the roof and are of a height comparable with some of the other two storey dwellings on the road.

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It is considered that the internal layout of the site, including positioning of the proposed dwellings in a similar location as the existing, and the retention of the existing garage for Plot 1 and a new garage for Plot 2, makes good use of the available space. The existing access will be retained and a second will be added for Plot 2 with a similar setback from the road. The proposed materials accord with the local vernacular and a condition requiring details and samples to be submitted prior to the commencement of each relevant stage of construction works, will ensure a high quality finish in line with policy CP13 of LPP1, DM16 and DM17 of LPP2 and HQB1 (p.51), MD1, MD3 and MD6 (p.82) of the High Quality Places SPD.

Impact on character of area and neighbouring property

Southdown Road is a roughly semi-circular road, approx. 1.4km in length, with access to Otterbourne Road at the north and south ends. The Compton and Shawford Village Design Statement (VDS) 2011 identifies Southdown as a distinct enclave where nearly all of the dwellings are large, two storey properties situated within large gardens, all with a linear relationship to each other and where physical barriers, including those between houses, are nearly all bushes and trees (p.10 and Appendix 1: A: 3 – p.20). The sylvan character of the area is a feature that is noted as being important to retain.

Concerns of local residents include the increased density of the development on the site, as well as the fact that the proposed dwellings have three storeys which is not something that has historically been the case in Southdown. Since the 2011 VDS, a number of developments have resulted in additional dwellings within existing plots, including a three storey detached house at Cartersland (14/01919/FUL) and two storey house at Inwood (17/01152/FUL), which is of a similar height as the proposed dwellings. Indeed, the new dwelling at Inwood does not follow the prevailing building line and is set further back and to the side of the existing dwelling. The proposed dwellings at The Garden House, retain the existing building line and the proposed subdivided plot, which was once part of a larger plot already subdivided in the past to retain Southdown House and allow for the construction of the Garden House and Norwood to the north, still retains ample outdoor amenity space.

Additionally, whilst many of the dwellings on Southdown Road, particularly on the east side, are set within large, relatively linear plots, those dwellings immediately opposite The Garden House (Fairacre, Laurel Cottage and Cornersway) are within smaller plots and therefore, they can also be considered to contribute to the prevailing plot layout and size within Southdown Road.

In terms of visibility from the street, the existing mature hedging and trees at the front of the plot are being retained, as are other trees adjacent to the side and rear boundaries and new internal boundary hedging will be planted. A condition requiring a landscaping plan showing species, number of plants and planting and maintenance schemes, will be added to any consent.

The set back of the proposed dwellings, coupled with the retention of the verdant boundary treatment, will minimise views into the site and will retain some privacy for the occupants as their main garden amenity space is to the front of the plot. This is in line with policy DM15 and DM17 of LPP2, as well as Policy AB6 (p.37), HQS1 and HQS6 (p.51) and HQB2 of the High Quality Places SPD.

There are concerns from residents at Norwood, to the north-east of the site, with regards
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to overlooking caused by the three storey dwellings. Notwithstanding the increase in height of the new dwellings, which do not present as typical three storey houses in terms of their height and massing, there is a distance between the new dwellings and the boundary with Norwood of approx. 27m and to Norwood itself, approx. 35m. There is also mature shrubbery, interspersed with trees, along the extent of the boundary of the rearmost garden of Southdown House, before the boundary of that house with Norwood and therefore, it is not considered that there would be any significant harm caused to the amenities of either property by means of overlooking. This complies with policy DM17 of LPP2.

Concerns have also been raised by some local residents with regards to surface water drainage and possible flooding during construction. A pre-commencement condition has been imposed requiring details of surface water drainage and infiltration rates.

Landscape/Trees

None of the existing trees will be impacted other than some of the existing hedging along the front boundary will be removed in order to accommodate the new access for Plot 2. As previously mentioned, a detailed landscaping plan will be required by condition, prior to the commencement of works on the site.

Nitrates

All development that results in new overnight accommodation, must be able to demonstrate that any increase in nitrates entering watercourses feeding into the Solent, caused by the development will be able to be offset by putting aside appropriate land to mitigate against the harm. Winchester City Council has adopted a Grampian Condition requiring a Section 106 legal agreement to be entered into, along with a financial contribution, to set aside land to offset any increase in nitrates.

Natural England is satisfied that the Local Planning Authority's Appropriate Assessment of the applicant's nitrate budget calculation of 1.9 kg/N/yr will result in a scheme that is nutrient neutral.

Highways/Parking

Concerns have been raised by local residents with regards to highway safety caused by the introduction of a new access onto Southdown Road. The existing access will be retained in the western half of the site to serve plot 1. A second access to the east will serve Plot 2. Residents have commented that there is no speed limit on Southdown Road and that vehicles sometimes travel at speed along it. They are also concerned about vehicles from the new access emerging onto the road and not being seen by other traffic. Southdown Road is a single track lane and the new access is proposed to have a splay where it meets the road, the same as the current access does. It is not therefore considered that there would be any significant additional harm caused to the safety of highway users by the slight increase in traffic created by the intensification of the residential use, or by location of the new access, in line with Policy DM18 of LPP2.

A Construction Management Plan will be required prior to commencement of any works on site, to ensure that contractors vehicles are parked safely within the site and not on the road or grass verges, and that deliveries to the site are managed in a safe way.

With regards to parking, each plot has formally allocated spaces in the form of garages and a car port. Plot 1 has an existing double garage, whereas Plot 2 will have a new

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single garage with attached car port and garden store. Both properties will have external hardstanding to the rear which could accommodate an additional 2 vehicles, bringing the total to 4 spaces per dwelling. This complies with the requirements of the Parking Standards Supplementary Planning Document whereby a dwelling containing 4 or more bedrooms should have a minimum of 3 spaces.

Equality

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.

Recommendation

Application Permitted, 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:

Location & Block Plan Dwg No 371.01 received 24.07.2020

Site Plan Dwg No 371.02 received 24.07.2020

Proposed Plot One Ground and First Floor Plans Dwg No 371.04 received 24.07.2020

Proposed Plot One First Floor and Roof Plans Dwg No 371.05 received 24.07.2020

Proposed Plot 1 Elevations Dwg No 371.06 received 24.07.2020

Proposed Plot Two Ground and First Floor Plans Dwg No 371.08 received 24.07.2020

Proposed Plot Two First Floor and Roof Plans Dwg No 371.09 received 24.07.2020

Proposed Plot 2 Elevations Dwg No 371.10 received 24.07.2020

Plot 2 Garage Dwg No 371.11 received 24.07.2020

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

3. No development shall take place above dampproof course level (DPC) until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning 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.

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4. Prior to work commencing on the site, including demolition, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, footpaths and highways.
- Details of parking and traffic management measures.
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control

Note to applicant: Further information and guidance for developers on the bullet points above can be found on the Winchester City Council website:

<http://www.winchester.gov.uk/environment/pollution/construction-sites/>

Reason: To ensure that all demolition and construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

5. No materials shall be burnt on site, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of nearby premises and in the interest of public health.

6. 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 development commences.

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

7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- All boundary treatment;
- Hard surfacing materials;
- Existing and proposed finished levels or contours;
- Means of enclosure, including any retaining structures;

Soft landscaping works shall include:

- Planting plans (for new trees, hedges and other planting);
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- Implementation programme.

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The approved scheme shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

8. Prior to the commencement of the development hereby permitted, detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of a 'design stage' Standard Assessment Procedure (SAP) calculation and a water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2019 and to accord with the requirement of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

9. 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 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 occupied in accordance with these findings

Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2019 and to accord with the requirement of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

10. 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

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- 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 Winchester District Local Plan Part 1.

11. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details. NB - potentially contaminated ground conditions include infilled ground, visual evidence of contamination or materials with an unusual odour or appearance.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

Informatives:

1. 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:

- 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, CP1, CP13, MTRA1, MTRA3

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

High Quality Places SPD

Parking Standards SPD

Compton and Shawford VDS

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.

Flexibility of hours may be acceptable due to the Covid-19 emergency in line with the Business and Planning Bill 2019-21 <https://services.parliament.uk/Bills/2019-21/businessandplanning.html>

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5. 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. Where construction site working hours are limited by a planning condition you can apply under Section 74B of the Town and Country Planning Act 1990 which provides a temporary fast track to vary existing conditions.

<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

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, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>