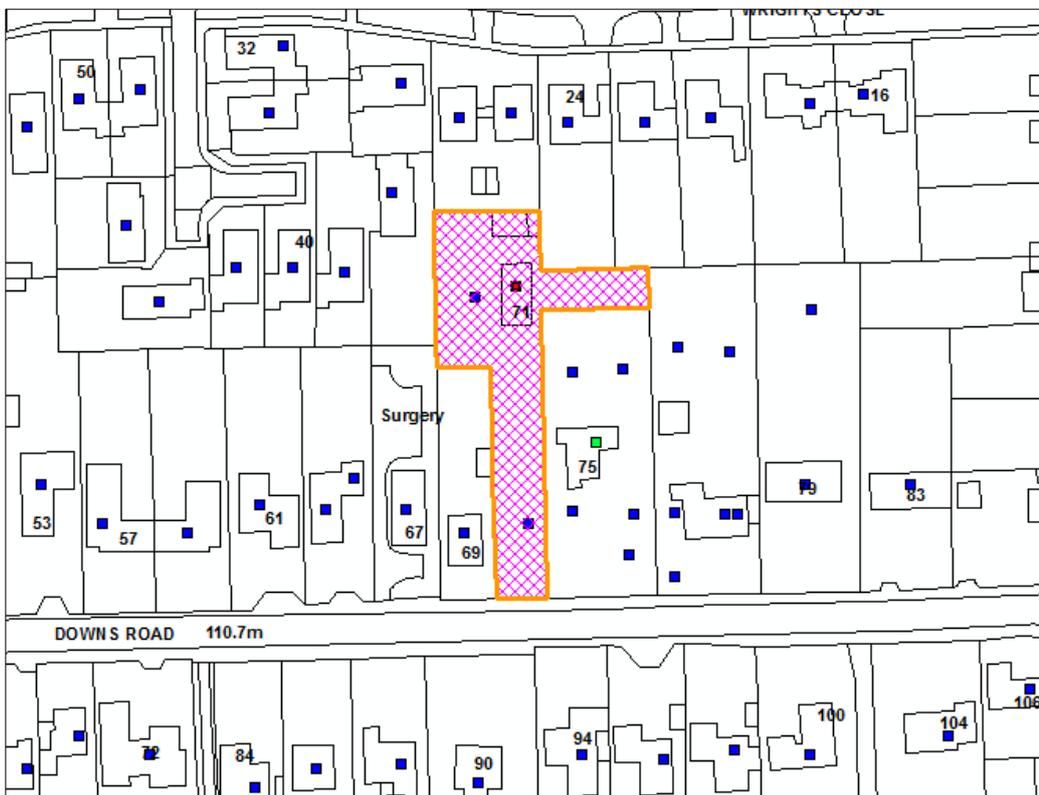


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 21/01152/FUL
Proposal Description: Removal of condition 2 of planning permission 17/02408/FUL to allow for alterations to the approved scheme, Date of Decision: 16/01/2018
Address: The Pines 71 Downs Road South Wonston SO21 3EW
Parish, or Ward if within Winchester City: South Wonston
Applicants Name: Mr A Bennett
Case Officer: Catherine Watson
Date Valid: 29 April 2021
Recommendation: Application Permitted

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



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General Comments

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

Site Description

The site formerly contained a single bungalow, constructed in the 1960's and situated to the rear of the plot on Downs Road, which is the main thoroughfare through South Wonston.

The plot measures approximately 81m from Downs Road to the rear and is not of a uniform shape, being a width of approximately 11m for the first 50m, which corresponds with the rear boundary of the neighbouring property of 69 Downs Road to the west. The two properties also share a driveway. The plot then widens to approximately 22m and then again to approximately 44m, which is composed of a narrow spur which runs to the rear of no 75 Downs Road to the south and no's 22 and 24 Wrights Close to the north.

Proposal

Planning consent was granted in 2018 (17/02408/FUL) for the alteration of Dwelling C (the existing bungalow), and the addition of a second bungalow to the west (Dwelling A) and to the south, near the front of the plot, a two storey dwelling (Dwelling B).

Construction is now underway on the site and is at an advanced stage. This application seeks to regularise material changes made to the approved scheme, particularly with regards to increase in height of the dwellings.

Relevant Planning History

17/02408/FUL - Proposed reconfiguration/alteration of the existing house at 71 Downs Road and the construction of 2 detached dwellings. **APPROVED 16.01.2018.**

Consultations

No consultations.

Representations:

South Wonston Parish Council

The parish council has serious concerns with regards to the removal of condition 2 of the existing planning permission (17/02408/FUL) as the increased height of the properties will have a direct impact on the abutting properties at Wrights Close and therefore the parish council does not support the amended plans.

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

- Loss of privacy to the properties at the rear in Wrights Close;
- The north gable upper floor windows will overlook the Wrights Close properties;
- It is not in keeping with the surrounding bungalows.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy (2013)

DS1 – Development Strategy and Principles;
MTRA3 – Other Settlements in the Market Towns and Rural Area;
CP2 – Housing Provision and Mix;
CP13 – High Quality Design.

Winchester Local Plan Part 2 – Development Management and Site Allocations (2017)

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

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

High Quality Places SPD
Parking Standards SPD

Planning Considerations

Principle of development

The principle of residential development within the settlement boundary of South Wonston is acceptable, provided the development complies with all other relevant planning considerations.

Design/layout

The revised scheme which is the subject of this application, retains three dwellings in the same positions as that approved. The 2017 application granted consent for a three bedroom, two storey dwelling to the front of the plot (Plot B). Plots A and C, to the rear of the site, were for two bedroom bungalows.

During the construction of the site, the ridge heights of the roofs of all plots have been increased, which allows for a third bedroom at first floor level in Plots A and C. Plot B retains the approved three bedrooms. Plot A has an increase in ridge height from 5.8m to 6.5m (+0.7m). Plot B has an increase in ridge height of 0.4m (6.8m to 7.2m). Plot C has an increase in height of 0.7m (5.8m to 6.5m).

In addition to this, there has been an increase in the length of the houses in Plots B (+0.7m) and C (0.5m) although Plot A has been reduced in length by approx. 0.4m.

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With regards to the design of the properties, apart from the increase in ridge height, there are a number of other changes. In Plot A (top left corner of the site), there is an addition of a window at first floor level in the northern gable end. This is repeated in the southern gable end. On the western roofslope, a number of rooflights are proposed. There are also some additional windows and doors at ground floor level on the western elevation, along with some reconfiguration of the approved windows. The eastern elevation retains its single door and the southern (front) elevation includes a porch.

Plot B (bottom of the site) continues to be two storey. Minor changes have been made to the fenestration on all elevations and the roof.

The most significant changes relate to the height of Plot C, which was approved as a single storey dwelling but is being constructed as a two storey dwelling. Like Plot A, there are first floor windows on either gable end. There is a porch on the south elevation. To the east and west (side) elevations, there have been changes in the configuration of the approved fenestration, plus the addition of rooflights on the eastern roofslope.

Considering the material changes to the plots as a whole, it is not considered that they are significantly visually harmful and would therefore comply with policy CP13 of LPP1, as well as DM16 of LPP2.

With regards to housing mix, policy CP2 of LPP1 states that “a majority of homes should be in the form of two and three bed houses, unless circumstances indicate an alternative approach should be taken...” In this instance, the rearmost plots A and C have each added an additional bedroom, resulting in a single bedroom at ground floor level and two at first floor level. Plot B is still a three bedroom property. Whilst 3 no 3 bedroom houses on the site is not in accordance with the above part of CP2, in this instance it is considered acceptable as there is no evidence of an imbalance of housing types and sizes in this part of South Wonston, as stated in the final part of CP2.

Impact on character of area and neighbouring property

The dwellings are situated in the same position as that approved. The materials to be utilised are the same as those approved, other than on the rearmost properties where the first floor elevations are to be timber-clad. This matches the materials used on Plot B at the front of the site. The increased height of the two rear properties is not considered to be significantly visually harmful when viewed from Downs Road.

Due to the restricted nature of the site and the increase in the size of the new dwellings, along with the additional rooflights, it is considered expedient to removed permitted development rights for extensions and alterations to the roof.

Concerns have been raised by neighbours of the development, including in Wrights Close to the rear, and at 77 Downs Road to the east. Of the properties at the rear, those with the most potential to be impacted are numbers 26 and 28 Wrights Close. It is acknowledged that the increase in height of the rearmost dwellings will result in increased visual impact from the residents' properties however, this would not be so different from that approved as to cause significant additional harm to the outlook of numbers 26 and 28 Wrights Close. There is also concern that the first floor gable windows would enable overlooking into the rear of these properties, including the garden area.

There is a distance of approximately 9m between the rear elevation of the new dwellings

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and the boundary with numbers 26 and 28 Wrights Close and approximately 26m from the rear of the dwellings to the rear of the properties in Wrights Close.

It is therefore possible that some of the garden amenity space may be overlooked by these windows but it is less likely that there would be direct overlooking towards the rear rooms of numbers 26 and 28. In order to address the limited direct overlooking, obscure glazing will be used on the lower half of each of the rear first floor windows and the use of this will be controlled by condition.

No 75A Downs Road is situated immediately next to the boundary with Plot B near the front of the site. There is a slight increase in ridge height for this dwelling however, there are no windows proposed at the adjacent side first floor level and so it is not considered that there would be any significant overlooking. To the rear, the rearmost elevation of dwelling B is approximately level with that of 75A Downs Road and therefore, it is not considered that there would be significant harm caused to that property by means of overshadowing and overbearing.

The neighbouring property to the west is number 69 Downs Road, which again is adjacent to Plot B, although there is a driveway between the two. Whilst there is a small increase in height of Plot B, it is not considered that this is so harmful as to cause additional harm by means of overlooking, overbearing or overshadowing.

The proposals are therefore in compliance with policies DM15, DM16 and DM17 of LPP2.

Landscape/Trees

The landscaping of the site is to remain largely as that approved however, a revised landscape plan will be required to be submitted to and approved in writing by, the local planning authority in order to maintain a high standard of development. This will include both hard and soft landscaping.

There is a single pine tree at the front boundary. This is currently fenced off to avoid damage during construction and it is required to be retained and maintained as per condition 9 of the existing planning consent.

The development is therefore considered to be in accordance with policies DM15 and DM16 of LPP2.

Highways/Parking

The existing communal access is retained and will serve the three new properties, as well as number 69 Downs Road. Each dwelling is to have a minimum of two car parking spaces. This matches the requirement for three bedroom dwellings as set out in the Parking Standards SPD.

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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 conditions:

Conditions

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

Site Plan Dwg No W10 received 29.04.2021

Site Sections Dwg No 336-D-01 received 18.06.2021 received 29.04.2021

Site Section and Street Elevation Dwg No 338-D-02 received 18.06.2021 received 29.04.2021

House A – Elevations Dwg No W40 A received 29.04.2021

House A – Floor Plans Dwg No W20 received 29.04.2021

House A – Sections Dwg No W30 received 29.04.2021

House B – Elevations Dwg No W41 received 29.04.2021

House B – Floor Plans Dwg No W21 received 29.04.2021

House B – Sections Dwg No W31 received 29.04.2021

House C – Elevations Dwg No W42 A received 29.04.2021

House C – Floor Plans Dwg No W22 received 29.04.2021

House C – Sections Dwg No W32 received 29.04.2021

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.

2. 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 the provision of sustainable development in accordance with policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

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3. The dwellings hereby approved shall not be occupied until full, revised, details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The works shall be carried out as approved. These details shall include:

- All new boundary treatment;
- Hard surfacing materials;
- 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.

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

4. All existing boundary treatments as shown on approved plan C17/066.04 A and including hedging and fencing, is to be retained and maintained in good condition in perpetuity. Any boundary fencing that becomes dilapidated shall be replaced by fencing of the same height and structure. Any boundary hedging that dies or becomes defective shall be replaced with hedging of similar species and density of planting unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and to protect the privacy and amenity of neighbouring properties.

5. The compensation measures as set out within Extended Phase 1 Habitat Survey dated December 2017 submitted by Ecosupport Ltd, shall be maintained and retained in accordance with the approved details.

Reason: To ensure that the ecological value of the site is not adversely impacted upon by the development.

6. The existing pine tree situated in the south-east corner of the site is to be retained. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

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Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To prevent inappropriate work being undertaken to amenity trees within

7. The parking areas shall be provided in accordance with the approved plans before each of the dwellings are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles or other storage purposes incidental to the use of the dwellinghouses as residences.

Reason: To ensure the permanent availability of parking for the property.

8. The first floor gable windows in Plots A and C shall have their lower half 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.

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

Reason: To ensure that the development is proportionate to the site in order to protect the amenities of the locality and to maintain a good quality environment.

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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, CP2, CP13, MTRA3

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

High Quality Places SPD

Parking Standards SPD

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>

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>

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