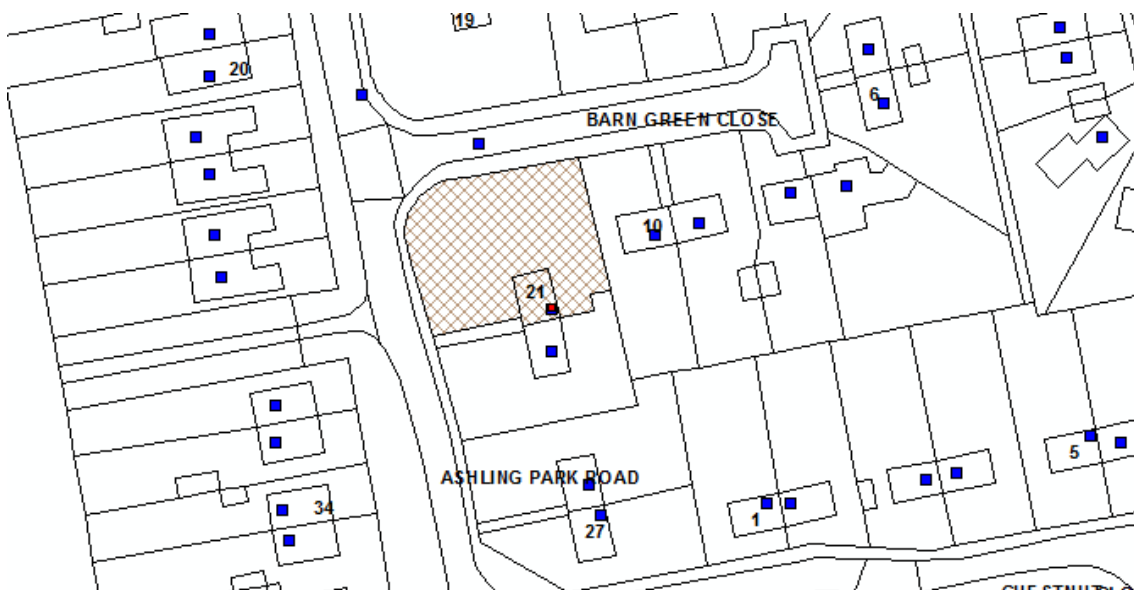


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 21/00163/FUL
Proposal Description: Construction of one dwelling adjacent to 21 Ashling Park Road and provision of parking for the new and the existing property at 21 Ashling Park Road (amended description)
Address: 21 Ashling Park Road Denmead PO7 6EH
Parish, or Ward if within Winchester City: Denmead Parish Council
Applicants Name: Mr John Huddlestone
Case Officer: Rose Lister
Date Valid: 20 January 2021
Recommendation: Permit

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

Pre Application Advice:



© Crown Copyright and database rights Winchester City Council License 100019531

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Application is reported to Committee as the number of comments received contrary to the officer's recommendation.

Site Description

The application site is part of the amenity area for number 21 Ashling Park Road. The site is in a prominent location on the corner of Ashling Park Road and Barn Green Close. There is on street parking on both roads outside the site and there is a Park directly opposite the site.

Proposal

The proposal would see a single three bed dwelling adjacent to number 21 Ashling Part Road and number 10 Barn Green Close.

Relevant Planning History

94/01882/OLD - Front Porch - permitted

Consultations

WCC Service Lead for Environmental Services - Engineers: Drainage:

The drainage engineer raised concerns regarding surface water flooding in the area but considered that details can be submitted for consideration via condition. Therefore condition 5 has been recommended.

Engineers: Highways:

No objection subject to conditions 9, and 10

Natural England

No objection subject to condition 4.

Representations:

Denmead Parish Council raised no objection

10 letters from 8 addresses objected to the proposal for the following material planning reasons:

- overdevelopment of the site
- loss of light
- increased traffic in the area
- road and foot path unsuitable
- inadequate parking
- contrary to character of the area
- overlooking
- construction disruption

Case No: 21/00163/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

- reduction in property value
- loss of view
- no need for more housing

6 supporting letters from 5 addresses have been submitted raising the following material planning reasons:

- good design
- well laid out
- retaining hedges
- in keeping with character of area

Relevant Planning Policy:

Winchester District Local Plan Part 1 – Joint Core Strategy
MRTA2, CP2, CP11, CP15, CP16

Winchester Local Plan Part 2 – Development Management and Site Allocations
DM1, DM2, Dm15, DM16, DM17, DM18

Denmead Neighbourhood Plan

National Planning Policy Guidance/Statements:
National Planning Policy Framework

Supplementary Planning Guidance
Residential Parking SPD
High Quality Places SPD

Planning Considerations

Principle of development

Paragraph 47 of the NPPF (June 2021) requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The development is situated in the settlement boundary of Denmead, where the principle of development is acceptable, provided that the development is in accordance with the policies of the Development Plan and unless material planning reasons indicate otherwise.

Design, Layout, Impact on character of area

The proposal would see an additional dwelling in the garden area of number 21. Amended plans have been submitted to reduce the amount of dwellings from 2 to 1. As such the application has been re-advertised appropriately.

Case No: 21/00163/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The site represents a corner plot and the proposed dwelling would be an L shape in footprint in order to address both Ashling Park Road and Barn Green Close. It is noted that the proposed would be forward of the building line along Barn Green Close however it would be in line with the buildings along Ashling Park Road and therefore is considered to fit well into the street scene along Ashling Park Road. As the site is a corner plot that addresses both Barn Green Close and Ashling Park Road it is considered that the proposed dwelling being forward of the building line along Barn Green close is acceptable as it is located in a position where the pattern of development can be stepped without appearing out of place. The design is similar to others in the area with gables facing Ashling Park Road. A hipped roof has been proposed to face the corner and Bar Green Close to lessen the bulk of the building.

The materials and design are similar to other nearby properties and are considered to be in keeping with the character of the area.

The proposal would include the removal of a small section of the existing boundary hedge to make a new access onto Ashling Park Road for number 21. It is considered that Ashling Park Road has a number of breaks in the front boundary treatments for driveways and off street parking and therefore the change would not detract from the existing character of the area.

Impact on neighbouring property

The proposed development will be visible from the neighbouring property to the east and south of the application site.

The proposal would be set forward in the building line from number 10 Barn Green Close however would be set back from the boundary with the neighbour by approximately 6m. It is therefore considered that the proposal would not result in overbearing.

Concerns have been raised regarding overlooking. The proposed dwelling would have one upper window facing the neighbour at number 10 that would serve a bathroom. Likewise there is one upper window facing number 21 that would also serve a bathroom. To prevent overlooking it is considered appropriate for these windows to be obscure glazed and condition 06 is recommended to secure this.

Further concerns have been raised in regard to loss of light to number 10 Barn Green Close. It is considered that the neighbour is located to the east of the site and that the proposal would be set forward from Barn Green Close. Therefore there is likely to be a degree of overshadowing at the end of the day towards the front garden area. However, as the majority of the garden space and dwelling would remain unaffected for the majority of the day this is considered to be to an acceptable degree and would not result in harmful overshadowing to the neighbour.

The proposed dwelling would be constructed on the boundary with number 21. It is considered that there are no windows on the northern elevation of number 21 and therefore it is not considered that the proposal would result in overbearing or loss of light. The application is therefore considered to be acceptable in this respect.

Highways/Parking

The proposal would create an additional access onto Ashling Park Road to serve number 21 and the new dwelling would use the existing parking for number 21. It is

Case No: 21/00163/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

considered that the additional dwelling would not result in a harmful additional amount of traffic. However, it is considered appropriate for visibility splays and the parking areas to be conditioned to be implemented prior to occupation and retained. The Highways officer raised no objection subject to conditions 9 and 10.

It is considered that there are parking issues in the area and so a construction management plan is considered appropriate to be submitted via condition.

Nitrates

The proposed development is within Winchester District where foul water is distributed into the European designated areas Solent SPAs/Ramsar sites via water treatment plants. In accordance with advice from Natural England and as detailed in Policy CP16 of the Winchester City Council Local Plan Part 1 Joint Core Strategy a net increase in housing development within Winchester District is likely to result in impacts to the integrity of those sites through a consequent increase in Nitrates. A nitrate calculation has been conducted in relation to this. It has been demonstrated that the proposal would generate a surplus of nitrates and therefore mitigation is required. As such a Grampian condition in line with the Winchester City Council Position Statement on Nitrate Neutral Development has been agreed to secure appropriate mitigation prior to occupation.

Other Matters

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 Permit

Subject to the following condition(s):

Conditions

01 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).

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

085 SL1

085 SE2

085 SE1

085 PLANS.01

Case No: 21/00163/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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.

03 No development shall take place above slab level 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.

04 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 Winchester District Local Plan Part 1.

05 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.

06 The windows on the first floor east and south elevations as shown on the approved plan 085 PLANS.01 of the development hereby permitted must be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4 and the glazing shall thereafter be retained in this condition at all times

REASON: To protect the privacy of the adjoining property and to prevent overlooking.

07 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.

Case No: 21/00163/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

08 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 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 2018 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

09 The parking spaces as shown in the drawing 085 SL01 shall be implemented prior to the occupation of the development hereby approved and thereafter retained in accordance with the approved plan.

Reason: In the interests of highway safety.

10 Prior to occupation of the development hereby approved pedestrian visibility splays of 2m by 2m shall be provided and maintained on each side of the proposed driveway access.

Reason: In the interests of highway safety.

11 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority, to include details of:

- parking and turning of operative, construction and visitor vehicles
- loading and unloading of plant and materials
- storage of plant and materials
- all deliveries and building works which should only be carried out between the hours of 0800 and 1800 hours Monday to Friday and 0800 and 1300 hours Saturday and no time on Sundays or recognised public holidays
- protection of hedgerows to be retained
- details of proposed means of dust suppression and noise mitigation
- details of measure to be taken to prevent mud from vehicles leaving the site during construction

Only the approved details shall be implemented during the construction period.

Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of local residents, or to existing natural features.

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.

Case No: 21/00163/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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

Local Plan Part 1 Joint Core Strategy: DS1, CP11, CP13, CP16, MTRA2

Local Plan Part 2: DM1, DM2, DM15, DM16, DM17

3. In accordance with paragraph 38 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

-offering a pre-application advice service and,

-updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

4. 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>

5. The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority before works can commence on site. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement Conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

6. 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.

7. 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.