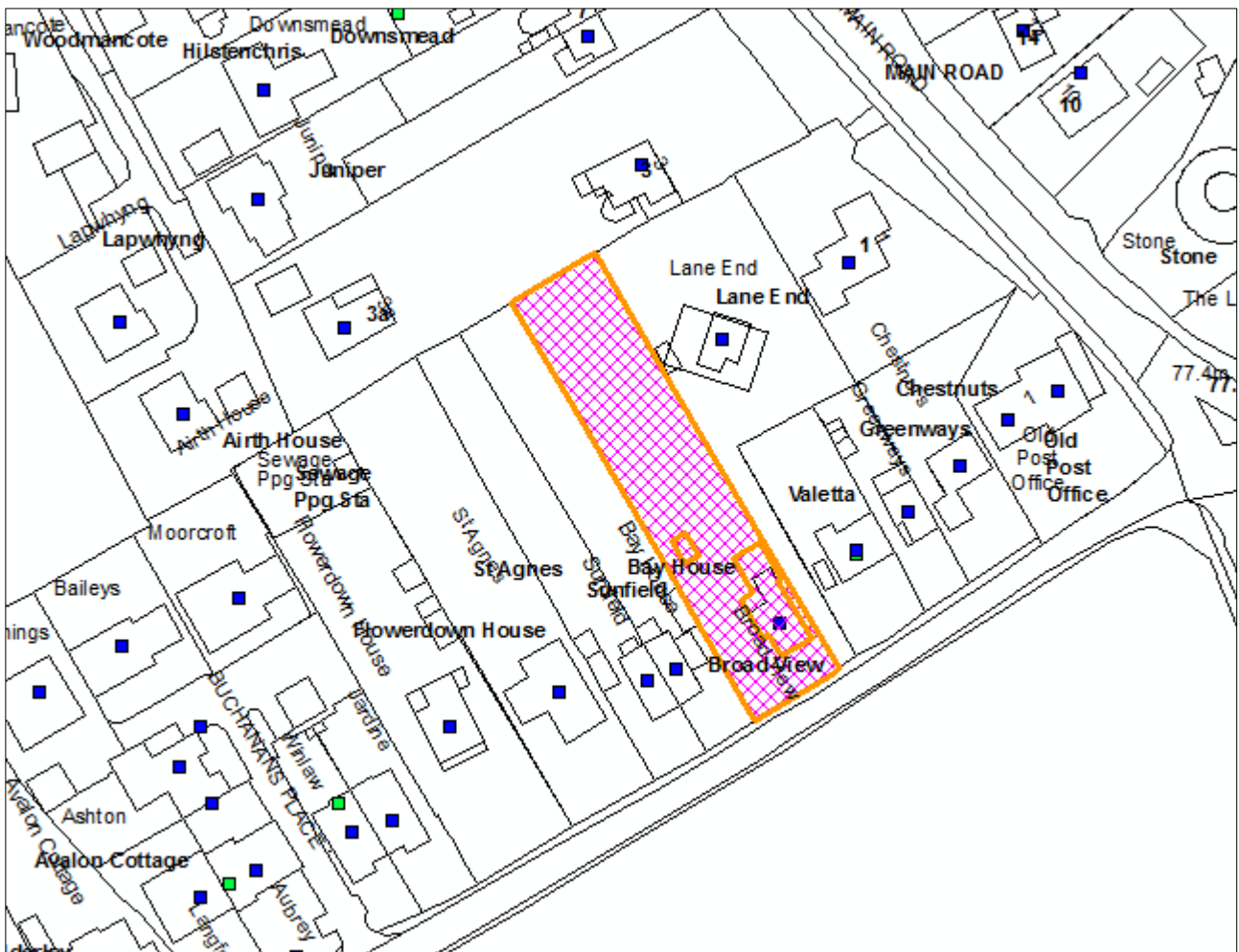


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Case No: 21/01308/FUL
Proposal Description: Proposed new detached house and garages on land to the rear of Broad View
Address: Broad View Deane Down Drove Littleton SO22 6PP
Parish, or Ward if within Winchester City: Littleton And Harestock
Applicants Name: Mr and Mrs Howles
Case Officer: Catherine Watson
Date Valid: 12 May 2021
Recommendation: Application Permitted

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

Pre Application Advice: Yes



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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.

Amended plans received 14.06.2021 showing a reduction in the footprint of the building and a change from a gable roof to a hipped roof on the eastern elevation. There is a reduction in height of the western elevation and the central section of the building.

Site Description

The site is a long, narrow plot situated on Deane Down Drove and adjacent to but within, the south-eastern boundary of Littleton. The plot contains a single, detached two storey dwelling situated towards the front of the plot and shares a building line with the majority of the other houses on the street.

Proposal

The proposal is for a detached, two storey dwelling to the rear of the existing. It will share the same access and a track will run along the western boundary into the parking area. It is to be constructed of orange brick with hanging tiles at first floor level and plain clay tiles at roof level.

The original plans submitted were for a dwelling similar in design however the dimensions were considered to be overly large for the narrow width of the plot and it was considered to represent overdevelopment. At its highest on the eastern elevation, the proposed dwelling was to measure 7.8m and the depth at its longest was 14m. The western elevation had a prominent chimney stack and the eastern elevation was to have a gabled front and rear form.

Accordingly, revised plans were submitted in order to address the issues identified. The eastern elevation is changed from a gabled to hipped form and its height is 7m, a reduction of approximately 0.3m in height. The height of the western elevation has been reduced from 8m to 7.3m and the overall length of the building has been reduced from approximately 14m to 13m. The design, whilst similar and using the same material palette as the previous, has been made simpler and the prominent chimney stack has been removed. The eastern gabled element to the rear has been removed and the hipped roof has been integrated with the rest of the building.

With regards to the parking area, the two proposed garages have been removed and the two parking spaces are now situated immediately to the front of the property, with the amount of hardstanding reduced accordingly.

Relevant Planning History

00/02557/FUL - Single storey side and rear extensions. Permitted 08.01.2001
03/01070/FUL - Two storey and single storey rear extension with porch to side. Permitted 02.06.2003.

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Consultations

WCC Service Lead for Environmental Services: Drainage:

The site is within Flood Zone 1 so there is very little risk of flooding from surface waters. No surface water details have been provided but the application states that surface water is going to soakaways, which is the most sustainable solution. Foul drainage is going to a package treatment plant/drainage field. This is the most sustainable solution.

Natural England.

Provided the competent authority is satisfied with the efficiency figures provided for the proposed package treatment plant, there are no further comments on the use of this efficiency in the nutrient calculation. It is recommended that a long term monitoring and maintenance strategy is submitted to satisfy the competent authority that the system will operate effectively for the lifetime of the development. The strategy should take into account appropriate funding, responsibilities and mechanisms to ensure compliance.

The appropriate assessment with regards to nitrates concludes that the authority is able to ascertain that the proposal will not result in adverse effects of the integrity of any of the sites in question.

Southern Water:

The Environment Agency should be contacted directly by the applicant with regards to the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation. The council's technical staff should be consulted on the adequacy of soakaways to dispose of surface water from the development.

Representations:

Littleton and Harestock Parish Council

- The PC does not object to back garden development on this site but is unable to support the application in its current form;
- The proposed dwelling is too large in scale, mass and height for the size of the plot and relationship with adjoining properties;
- It is out of character with those properties in the immediate vicinity;
- The proposed development will have a detrimental impact on the enjoyment and amenity of adjoining properties, including Lane End;
- A single or 1.5 storey dwelling may be more appropriate;
- With regards to the revisions, the PC appreciates that the applicant has made changes however the property is still too large and their original comment still stands

12 letters received objecting to the original plans and 5 objecting to the revised plans for the following reasons:

- Increase of traffic on a risky road;
- Potential flood risk;
- Overshadowing and overbearing impact on Lane End;
- Overlooking from Lane End into the garden of the new dwelling;
- The existing hedgerow should be maintained at 2m in height;

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- The design, materials and appearance are not in keeping with the surrounding area;
- The building is too large for the plot.

8 letters of support received supporting the original plans and 2 supporting the revised plans.

- There is a precedence of backland development and this is a continuance of that;
- There would be little to no impact on the appearance of the street;
- The property is in keeping with the existing housing stock and is sympathetic to the surroundings;
- Ecology has been taken into consideration;
- They have considered overshadowing and overlooking of neighbouring properties;
- The revised plans are supported as they are not out of line with other developments in the village.

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

- Backland development is now an accepted way of providing more housing without encroaching on green fields.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles;
MTRA3 – Other Settlements in the Market Towns and Rural Area;
CP12 – Renewable and Decentralised Energy;
CP13 – High Quality Design
CP16 – Biodiversity

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

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Supplementary Planning Guidance

High Quality Places SPD

Planning Considerations

Principle of development

The site is within the settlement boundary of Littleton where there is a presumption in favour of development, subject to compliance with relevant local plan policy.

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Design/layout

The proposed dwelling takes the form of a detached, two storey brick-built property to the rear of the existing dwelling at Broad View. It is situated adjacent to Lane End, the neighbouring property to the north-east.

The dwelling is positioned roughly equidistant from the two side boundaries of the plot and shares the existing access with Broad View, with a track proceeding along the south-western boundary, terminating in a parking area with two spaces to the front of the house. There is an area of garden to the rear which also contains the sewage treatment plant and drainage field for surface water. Where possible, existing boundary trees and hedging have been retained although some will be removed to facilitate development but will largely be reinstated and the existing hedging supplemented. Along the boundary with the existing Broad View will be a new hedge and 1.8m close board fencing. There will be three parking spaces to the front of Broad View for its use and the existing front boundary hedge will be extended. Replacement hedging will be planted where it has been removed and this will be controlled by means of an appropriately worded landscaping condition (condition 8). This complies with policies DM16, DM17 and DM18 of LPP2.

The form of the building as revised, consists of a north-west element from front to rear which has gabled ends. The central part of the building has a flat roof which will also accommodate solar panels and the south-easterly element has a hipped roof to the front and is integrated with the rest of the building to the side and rear of the building. A bin store is situated adjacent to the property and an air-source heat pump and electric vehicle charging point are also proposed to be attached to the side elevation. This complies with policy CP12 of LPP1.

The proposed materials of orange brick, plain and hanging tiles are considered to be typical of use within the Winchester area. The hanging tiles will provide an attractive detail at first floor level as will the small, pitched-roof dormers. A condition requiring details of the materials to be utilised in the development will be attached to any consent (condition 3). This complies with policies CP13 of LPP1 and DM15 and DM16 of LPP2.

Impact on character of area and neighbouring property

The site is within the settlement boundary of Littleton however it overlooks open fields to the south-east. The proposed dwelling will be situated behind the existing and is not likely to be seen in wider views from the adjacent countryside. Any glimpses of the development are not considered to be significantly visually harmful.

This part of Deane Down Drove consists of dwellings which more or less follow the same building line adjacent to the street. The rear of the plots is mostly undeveloped however there are some exceptions. Both number 1 Main Road and Lane End to the north-east are constructed to the rear of dwellings on Deane Down Drove. The proposed new dwelling will be in line with the adjacent Lane End. Further to the south-west is Buchanans Place, a cul-de-sac of 8 dwellings.

Whilst there is a degree of separation between these properties and the proposed dwelling at Broad View, the positioning of the new dwelling will also be broadly in line with them. This is in accordance with policy DM16 of LPP2.

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The proposed dwelling will be visible from Deane Down Drove but only from the public realm when passing close to the site. It will, of course, be visible from the rear of the neighbouring properties but this in itself is not considered to be significantly harmful and is in accordance with policies CP13 of LPP1 and DM16 and DM17 of LPP2.

Concerns have been raised with regards to the impact of the proposed development upon neighbouring properties, in particular Bay House to the south-west and Lane End to the east.

Concerns from the residents of Bay House include overlooking and a loss of privacy, as well as overshadowing. The health of one of the occupants of the property is also a concern with regards to the location of the access track being immediately adjacent to their property. The distance between the front elevation of the proposed dwelling and the rear elevation of Bay House is approx. 35m however it is acknowledged that the access track and parking areas are adjacent to the boundary with their garden. Two mature trees along this boundary are proposed to be removed however a number of smaller trees are proposed to be retained. This is in line with policy DM15 of LPP2.

The applicant's Arboricultural Implications Assessment gives more detail about the trees to be removed and what impact that would have. This is dealt with in the Landscape/Trees section below.

The boundary treatment between the application site and Bay House also shows a close boarded fence although this has been subsumed by the planting. Notwithstanding the above, the main garden amenity area for Bay House appears to be adjacent to the house and given the distance between it and the proposed dwelling it is not considered that there would be significant harm caused by overlooking, overshadowing or overbearing. The introduction of the access track adjacent to the boundary represents a material change to the existing situation however, given the proposal constitutes a single dwelling it is not considered that there would be significant harm to the amenities of the occupants by means of noise or fumes from motor vehicles using the track. This accords with policy DM17 of LPP2.

The other immediately neighbouring property is Lane End to the north-east. As previously mentioned, Lane End is in itself a rear of plot development. The proposed dwelling will sit roughly in line with it and there are concerns with regards to overlooking, overshadowing and overbearing to the property. The proposed dwelling is situated 3.85m from the boundary with Lane End and the single storey integral garage of Lane End is approx. 1m away from the boundary. Lane End is a two storey dwelling with single storey extensions (the garage and eastern elevation). The height of the proposed building adjacent to the boundary has been reduced by approx. 0.3m and the roof form has been changed from a gable to a hip which in turn helps to reduce the massing of the building. There are no windows at first floor level and there is a single, obscure glazed rooflight. The first floor windows to the rear are proportionately small and look away from the garden space immediately to the rear of Lane End.

Therefore it is not considered that there would be significant harm by means of overlooking towards the neighbouring house or main garden amenity space. The applicant has provided a shadow analysis diagram which shows the existing and proposed shadow positions in December, March, June and September.

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This demonstrates that whilst there will be some increase in shadowing affecting Lane End, particularly in December, this is not of a level to cause significant harm in this respect. It is not therefore considered that significant harm will be caused to the amenities of Lane End by means of overshadowing or overbearing, in line with DM17 of LPP2.

Landscape/Trees

The applicant's Arboricultural Implications Assessment marks out five trees (Sycamore, Liquidambar, apple and two cherry trees) out of the existing 13 for removal. These trees are not considered to have any significant implications on the surrounding area. Areas of existing hedging (marked as G8, G11, G12 and G13 on the tree constraints plan) are to be retained and supplemented with additional planting to continue the verdant boundary treatment. This is in line with policy CP20 of LPP1 and DM15 of LPP2. Details of hard and soft landscaping will be required by condition 8.

Ecology.

A Preliminary Ecological Assessment was undertaken by the applicant which confirmed a bat roost in the loft and other features on the site that would be suitable for foraging bats, birds etc. In order to mitigate against the development, it is proposed to supplement the existing and add new hedging, include a bat brick on the new building and provide enhancements for hedgehogs and stag beetles. Conditions 10 and 11 will apply to ensure that the recommendations within the ecological assessment are adhered to and that details of external lighting are submitted to and approved by the local planning authority.

Drainage.

Foul drainage will be dealt with by a package treatment plant and surface water will be dealt with by a drainage field to be installed at the rear of the garden. Full details of these will be required to be submitted via condition 4 to ensure the methods of drainage are appropriate and acceptable for this type of development.

Nitrates.

The council has undertaken a habitat regulations assessment as competent authority in respect of the anticipated level of nitrates caused by the development which will eventually enter the River Itchen and its tributaries. This assessment has been accepted by Natural England and the overall increase in nitrates can be mitigated by offsetting suitable land against certain types of development. The council has a standard condition (condition 9) which requires mitigation to be secured prior to the first occupation of the approved development.

Highways/Parking

The existing access is to be utilised for both Broad View and the new dwelling. The new dwelling has four bedrooms and therefore, according to the WCC Parking Standards SPD is required to provide three parking spaces. The integral garage has one space and there are a further two immediately adjacent so this complies with both the SPF and policy DM18 of LPP2.

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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 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 Plan Dwg No 7824/L01 received 12.05.2021

Existing Site Plan Dwg No 7824/E01 received 12.05.2021

Proposed Site Plan Dwg No 7824/D01 Rev A received 19.08.2021

Proposed Floor Plans Dwg No 7824/D02 Rev A received 19.08.2021

Proposed South and East Elevations Dwg No 7824/D03 Rev A received 19.08.2021

Proposed North and West Elevations Dwg No 7824/D04 Rev A received 19.08.2021

Proposed Site Sections Dwg No 7824/D06 Rev A received 19.08.2021

Shadow Analysis Dwg No 7824/SK01 Rev B received 20.08.2021

Eco 2 – Tree Protection at Broad View, Deane Down Drove, Littleton received 12.05.2021

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

3. No development above damp proof course level shall take place 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. 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 details shall include a foul drainage strategy, including the results of percolation testing, confirmation of the infiltration rates for surface water soakaways and details of how the package treatment plant will be monitored and maintained for the lifetime of the development.

The approved details shall be fully implemented before occupation of the development hereby permitted.

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

5. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement reference 201232 AIA 2 by Ecourban Arboricultural and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: To prevent inappropriate work being undertaken to protected trees.

6. The trees shown to be retained on the approved site plan Eco 2 – Tree Protection at Broad View, Deane Down Drove, Littleton received 12.05.2021 shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. These trees shall be protected during building operations by the erection of fencing as shown on the approved site plan in accordance with BS 5837.

Reason: To prevent inappropriate work being undertaken to protected trees.

7. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment and Method Statement 201232 AIA 2 shall be agreed in writing to the Local Planning Authority.

Reason: To prevent inappropriate work being undertaken to protected trees.

8. 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:
- Proposed finished levels or contours, in comparison to existing ground levels, including the damp proof course and ground floor of the proposed buildings, and the relationship to the levels of adjacent buildings, together with contours to be formed and earthworks to be undertaken;
 - All boundary treatment;
 - Hard surfacing materials;
 - Existing and proposed finished levels or contours;

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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.

The scheme approved 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.

The agreed landscaping works shall be implemented prior to first occupation of the dwelling hereby approved and shall be adhered to for the lifetime of the development hereby permitted.

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

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 Winchester District Local Plan Part 1.

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10. The recommendations within section 5 of the Preliminary Ecological Assessment (Peach Ecology, 3 May 2021) shall be adhered to throughout all phases of the development and the mitigation and enhancement features in Appendix E and F shall be sited prior to the development coming into its intended use and retained thereafter.

Reason: To safeguard protected species and maintain biodiversity in accordance with Policy CP16 and the NPPF 2019.

11. Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and protected species from light pollution.

12. 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.

13. 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.

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14. The rooflight in the 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.

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, CP12, CP13, CP16, CP20, 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.

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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>