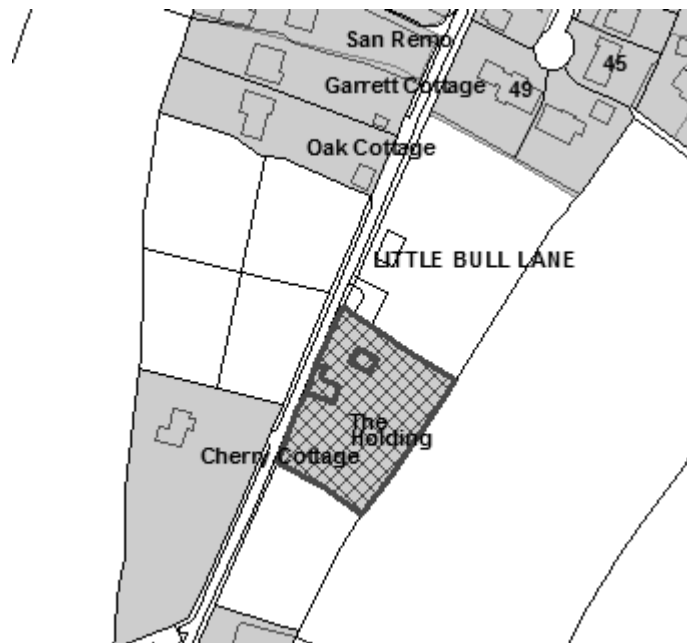


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 21/00254/FUL
Proposal Description: Replacement residential dwelling, with accompanying garage
Address: The Holding, Little Bull Lane, Waltham Chase, SO32 2LT
Parish, or Ward if within Winchester City: Shedfield Parish Council
Applicants Name: Mr Ollie Duckworth
Case Officer: Nicola Clayton
Date Valid: 1 February 2021
Recommendation: Application Permitted.

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

Pre Application Advice: None.



© Crown Copyright and database rights Winchester City Council License 100019531

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

General Comments

Parish Council's request for application to be determined by Planning Committee, see Appendix 1

Application is reported to Committee as there have been 6 letters of objection contrary to the Officer's recommendation

Site Description

The site comprises 0.2 hectares of residential land comprising an existing dwelling, outbuildings and brick barn. The site lies on the eastern side of Little Bull Lane approximately half way along its length. The surrounding area is rural including a mixture of residential, informal paddocks and agricultural fields.

Proposal

The construction of a replacement dwelling and timber framed garage. As part of the application the existing house will be demolished and restored to garden use.

Relevant Planning History

- 16/01015/PNHOU Single storey rear extension. Prior approval not required. 17.06.2016.

Consultations

- Service Lead - Community (Landscape) raise no objection subject to safeguarding condition.
- Service Lead - Community (Ecology) raise no objection subject to safeguarding condition
- Hampshire County Council (Highway Authority) raise no objection.

Representations:

Shedfield Parish Council object to this planning application on the following grounds

- The use of the site for business purposes
- The removal of hedges
- Ecology
- Loss of residential amenity

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

- The existing dwelling is an important feature in the area.
- The new dwelling would be out of character.
- Size and scale of new dwelling

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- The installation of the access, fencing
- And loss of vegetation.

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

- Health and safety
- Loss of a view
- Services and utilities

Relevant Planning Policy:

Local Plan Part 1 - Joint Core Strategy (LPP1)

- DS1 - Development Strategy and Principles
- MTRA4 - Development in the Countryside
- CP10 - Transport
- CP11 - Sustainable Low and Zero Carbon Built Development
- CP13 - High Quality Design
- CP16 - Biodiversity

Local Plan Part 2 - Development Management and Site Allocations (LPP2)

- DM1 - Location of New Development
- DM2 - Dwelling Sizes
- DM3 - Small Dwellings in the Countryside
- DM15- Local Distinctiveness
- DM16- Site Design Criteria
- DM17- Site Development Principles
- DM18- Access and Parking
- DM23 - Rural Character

Supplementary Planning Guidance

- High Quality Places
- Residential Parking Standards

Planning Considerations

Principle of development

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

The proposal site is located outside of the defined settlement boundary of Waltham Chase. In this area, Policy MTRA4 (Development in the Countryside) of the Local Plan Part 1 (LPP1) only allows development which has an essential or operational need to be in a countryside location.

As a replacement dwelling, policy DM3 (Small Dwellings in the Countryside) of the Local Plan Part 2 (LPP2) needs to be addressed to provide the principle of development. DM3 seeks to retain smaller dwellings across all areas of the district and limits the extension or replacement of such dwellings. Properties with a floor space of 120sq. m or below are

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

restricted to a 25% increase in size under this policy; which applies to both extensions and replacement dwellings.

The information submitted shows that when the ground and first floor of the existing dwelling are combined, a floor space of 132.25 sq. m is achieved. As a result, a replacement dwelling is not limited under the terms of policy DM3.

However, due to the site's location in the countryside, policy DM23 (Rural Character) of LPP2 is introduced which seeks to prevent development which would have an unacceptable impact on the rural character of the area. The policy concludes that replacement dwellings should not be disproportionately larger than the existing.

The principle for the construction of a replacement dwelling is therefore provided by policy DM3 as the dwelling has a floor space above 120 sq.m. Development must also comply with the development plan as a whole and material planning considerations.

Design/layout

The existing dwelling on the site is a small detached bungalow showing signs of age. The existing dwelling is unlisted and not considered a non designated heritage asset. Therefore the loss of the existing building is not considered to adversely impact the wider characteristics of the area

The proposed dwelling enlarges the existing property and alters its position within the site, enabling the applicants to live within the existing dwelling while the proposed dwelling is being constructed. It is therefore considered necessary for a safeguarding condition to ensure the existing bungalow is demolished once the proposed dwelling is occupied to prevent an additional dwelling in the countryside contrary to planning policy. The applicants wish to retain the use of the existing entrances, and they also wish to retain the existing barn which is centred on the sites' frontage.

The proposed dwelling is a visible enlargement on the existing property on the site. The proposals result in a rather suburban design which deviates from the rural appearance of the existing dwelling. However, the surrounding area has varying architectural styles and the general character of larger dwellings with generous plots. It is also proposed that the boundary vegetation be reinforced. A detailed landscape plan is to be conditioned to this effect under condition 7.

Despite the transfer of built form, sufficient amenity space continues to be provided and the property faces onto Little Bull Lane similar to the surrounding built form.

The proposal is therefore considered to be in accordance with policy DM15, DM16, DM17 and DM23 of the LPP2.

Impact on neighbouring property

Given the position of the replacement dwelling some 45 metres from the property Cherry Cottage, it is not considered that the proposal would significantly impact on the residential amenity of the neighbouring properties in terms of loss of light, outlook or privacy.

To prevent any perceived overlooking from the first floor garage window a condition is

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

imposed to require the window to be obscure glazed. The development is therefore in accordance with policy DM17 of the LPP2.

This application does not apply for commercial use on the land. The use of the first floor of the garage is for a home office incidental to the use of the dwelling house. A degree of home working is allowed and any significant use of the site for business purposes would require a future application.

Landscape/Trees

Landscaping has been conditioned as part of this planning application. The scheme shall include the reinforcement of native hedging to the boundary of Little Bull Road to soften the appearance of the boundary treatment.

Therefore the proposal is in compliance with DM16 and DM23 of the LPP2.

Highways/Parking

The site benefits from two accesses off Little Bull Lane. The two entrances can be proven by historic photography and 'Google streetview' shows both entrances (albeit overgrown). The proposal would have additional bedrooms and therefore it is considered that 3 parking spaces are required to comply with the Residential Parking SPD. There is ample space to accommodate this level of parking on the site. The application is therefore considered to be acceptable in this regard and complies with policy DM18 of the LPP2.

Other Matters

Ecology

It is necessary to condition a Biodiversity Mitigation and Enhancement Plan which will provide detail of design/planting/maintenance/management of the features covered in the ecology report. This report shall be submitted to the LPA for approval prior to commencement or any preparatory measures. Therefore in compliance with CP16 and the NPPF 2019.

Nitrates

The proposed application is nitrate compliant as this is a replacement dwellinghouse and therefore there is not a net gain in nitrate discharge from the residential unit and the proposal has a neutral effect on the Solent SPA. As a result, an assessment on the impact on Nitrates is not required.

Services

Services / Utilities are a separate matter to Planning Permission, however the applicant is keen to not affect any other neighbours' services.

The proposal accords with the Development Plan and the following policies DS1, CP16, DM1, DM15, DM16, DM17, DM23 and the High Quality Places SDP.

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

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.

1 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;WIN-ID-1412-03; WIN-ID-1412-04-C; WIN-ID-1412-05

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

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as detailed in the schedule of materials as submitted and approved as part of this planning application

3 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

4 Prior to the commencement of development hereby permitted detailed information (in the form of SAP "as design" stage data and a BRE water calculator) demonstrating that the dwelling meets 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.

4 Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy

5 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 the dwelling meets 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.

5 Reason: To ensure a sustainable form of development consistent with the objectives of The National Planning Policy Framework 2012 and to accord with the requirements of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core Strategy.

6 Within 3 months of the dwelling hereby permitted being first occupied the existing bungalow shall cease to be occupied for residential purposes and shall be demolished.

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The remaining land shall be restored to an acceptable condition which shall be agreed in writing with the Local Planning Authority.

6 Reason: To accord with the terms of the application since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

7 Details of native tree planting along the boundary with the Little Bull Lane shall be submitted to the local planning authority for approval. Within 3 months of date of the local planning authority giving written approval for boundary treatments (or other such time period as may be agreed by the local planning authority), the approved boundary treatments shall be provided on site. If within a period of 5 years from the date of the planting, if the tree is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree of the same species and size as that originally planted shall be planted at the same place within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

7 Reason: In the interests of the visual amenity of the area.

8 A Biodiversity Enhancement Plan shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This shall include the type and location of bat boxes, bird boxes and any native species-rich planting. These biodiversity enhancements shall be sited prior to the development coming into its intended use and retained thereafter.

8 Reason: To ensure a net gain in biodiversity in accordance with CP16 and the NPPF 2019.

9 The first floor window of the garage hereby approved shall be obscure glazed.

9 Reason: To protect the residential amenities of the adjoining property.

10 The garage hereby permitted shall only be used for the purpose of accommodating private motor vehicles or other incidental purposes to the dwelling house, and shall not, at any time, be used for business purposes.

10 Reason: To ensure the use of the garage remains appropriate to the use of the site.

Informatives

In accordance with the National Planning Policy Framework (NPPF), 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.

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

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The Local Plan Part 1 (2013) DS1, CP13, CP16, CP17, MTRA1, MTRA4
The Local Plan Part 2 (2017): DM1, DM3, DM15, DM16, DM17, DM18, DM23

National Planning Policy Framework

High Quality Places Supplementary Planning Document (2015)
Car Parking Standards Supplementary Planning Document (2009)

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.

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>

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>

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>

Please be advised that Building Regulations may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

If the proposals include works to an ordinary watercourse, under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent from the Lead Local Flood Authority is required.

This consent is required as a separate permission to planning. Information on ordinary watercourse consenting can be found at the following link:

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

<https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/changewatercourse>

Appendix 1

Please return this form to the Case Officer: Nicola Clayton

From: Shedfield Parish Council

Case No: 21/00254/FUL

Closing Date for comments: 17 March 2021

Proposal: Replacement residential dwelling, with accompanying garage

Location: The Holding Little Bull Lane Waltham Chase SO32 2LT

.

LISTED BUILDING GRADE:

Comments:

Shedfield Parish Council are concerned about the accuracy and interpretation of the application form as follows:-

Section 5 - description of proposal.

Has the work or change of use already started?

The land has been cleared. This includes making a completely new entrance, widening the original one. removing hedgerow and cutting down trees and placing a container on site. The land in part is currently used as industrial storage for a crane hire business, A large canopy has been built to protect the machinery. This is detailed in photographs provided in the design statement. There appear to be footings in the process of being prepared. As far as Shedfield Parish Council are aware no previous planning application has been submitted.

Section 8.

A new vehicle entrance has been installed and the original entrance has been modified with a large electronic sliding door.

Section 10 - Hedges and trees.

The applicant states that there are no trees or hedges.

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Hedges and trees have already been removed but there are substantial trees and hedges that could still be affected by this development. This development may influence the character of the landscaping of the area. The use of close boarded fencing is contrary to the Village Design Statement. A proposed landscape design statement should be requested.

Section 12.

The land includes a very old house and a barn. A biodiversity study should be carried out including a bat and owl survey.

Section 15.

There should be a condition that no industrial waste is allowed on the premises.

Section 16. Change of use.

Operating a crane hire business is a change of use for residential units. Again, this is recorded in the applicant photographs.

Section 20

It is clear that industrial or commercial activities are already operating from this address.

Section 21.

It is not known that Hazardous Substances are stored at the premises, but a condition should be imposed prohibiting this. In some photographs it appears that oil is stored at the premises

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE



General.

The planning statement summary states *-The proposals do not include the loss of significant usable garden space, and they do not include the loss of any trees or hedgerows.*

There will be loss of garden space if the industrial use continues.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE



The proposed house provides a place for the applicant's young family to enjoy and grow into, and it also provides a base for their self-employed businesses, Mr. Duckworth operates an electrical contracting business requiring a small office space, and Miss Elliot is a beauty therapist, hence the small private treatment room within the proposed new house.

Nearby premises have had to apply for planning permission to register part of their premises for use as self-employed businesses.

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The photographs produced do not identify the location of the proposed new dwelling only the old one. The Location Plan submitted does not include the extension to the original building. We note that in the planning statement the original house is in good constructional condition. This house is historic and may be dated before 1810. It was the first house that used the lane, in those days it was part of Bull Lane which later became Little Bull Lane. Authorities should be asked to confirm whether this building is of any historic value.

We understand there is no Orange Notice displayed at the site and neighbours report they have received no written notification from WCC.

The garage first floor window is overlooking the neighbouring property. If permitted it should be a condition that this is of obscured glass.

WINCHESTER CITY COUNCIL PLANNING COMMITTEE

Note: All drawings are for planning purposes only, not to be used for building control or construction uses



Site layout plan
(Scale 1:250)



| | | |
|--|-------------------|-----------|
| Client: Ollie Duckworth & Mimi Elliott | | |
| Title: Site Location and Layout Plan | | |
| Site: The Holding, Little Bull Lane, Waltham Chase, SO32 2LT | | |
| Date: 10.01.21 | Scale: 1:250 @ A3 | |
| Job code: 140 | Dwg No: 002 | Rev: |

For all the above reason SPC ask that the application is resubmitted

Case No: 21/00254/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Request for application to be considered by Committee:

(NB: Case Officer to forward form to Head of Planning Control if this section completed)

If the case officer is minded to approve this application, Shedfield Parish Council would request that it is considered by Committee.

Signed: T S Daniels
Planning and Projects Officer

Date: 15 March 2021