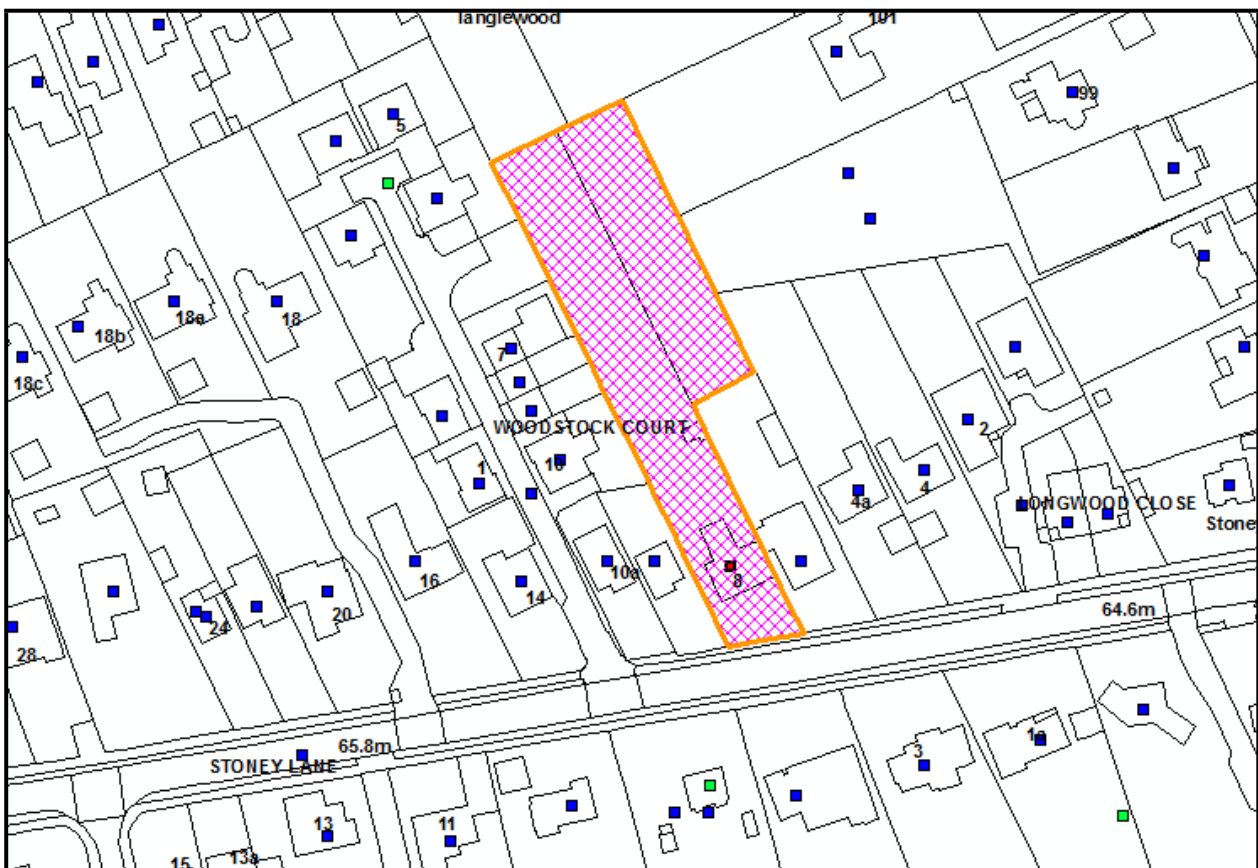


Case No: 18/01636/FUL
Proposal Description: Demolition of No.8 Stoney Lane and erection of seven residential dwellings, with associated access, parking and landscaping
Address: 8 Stoney Lane Winchester SO22 6DN
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr Chris Rees
Case Officer: Pat Aird
Date Valid: 4 July 2018

Recommendation: Application Permitted



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General Comments

Application is reported to Committee as the number of objections, received 20

Amended plans received due to errors on elevation descriptions and to include the land at 6 Stoney Lane with additional neighbours notified.

Site Description

The site is a 0.23 ha parcel of land comprising number 8 and part of the back garden of number 6 Stoney Lane. There is mature planting on the boundaries. There is a slight rise in the land from south to north. Number 8 is a bungalow with small individual dormers. Number 6, is also a bungalow with a small conservatory on the side facing number 8. To the west is Woodstock Court, a development of 10 two storey properties. To the north and east are residential properties with long back gardens fronting Uplands Road and Andover Road. The garden of 99 Andover Road has been recently developed with two 5 bedroomed houses which have a shared rear boundary with the application site. The application site also has a shared boundary with the end of the rear garden of number 4a Stoney Lane.

Proposal

The proposal is for 7 two storey dwellings (2 x 2 bed semi detached and and 5 x 3 bed detached) fronting a shared access road on the western boundary ending in a turning space. Each will have 2 parking spaces adjacent to the property (the parking spaces for plots 1, 2, 4 and 5 will be in tandem) and a front and rear garden with soft landscaping on the front. Plots 3 and 4 will be semi detached

The houses will be of a similar traditional design and built of brick with plain tile or slate roofs.

It is proposed to retain the majority of the trees and existing boundary hedges with the exception of the hedge separating nos 6 and 8.

Relevant Planning History

None relevant.

Consultations

Engineers: Drainage:

Flood zone 1; chalk geology; soakaway should drain 1:100 year storm event with allowance for climate change; conditions relating to foul and surface water drainage required

Engineers: Highways:

Recommend access is vehicle crossover rather than 'bell mouth'; advised waste collection from central point is acceptable; condition required to prevent mud being

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deposited on highway and parking for site operatives during construction; details of access drive; parking provided prior to occupation (conditions 4, 5 and 6).

Southern Water:

No objection; - formal application required for connection to foul sewer; no public surface water sewers therefore means of disposing of surface water required; if sewer found during construction investigation into number of properties it serves required

Representations:

Cllr Anne Weir: application is for 8 and 6 Stoney Lane so map on the system needs to be amended and any consequent neighbour notification addressed with consultation period extended accordingly. Neo-Georgian design not in keeping; building on frontage will jar with existing form of development; lack of amenity space; no provision for visitor parking will result in pressure on parking availability in the area; clarification required on garage provision; bin and cycle storage facilities need to be provided; roof space could be converted to accommodation resulting in overlooking and further pressure on parking.

City of Winchester Trust: neutral comments - layout acceptable but design could be more imaginative; anomaly of window design with Georgian doors; impact of increased traffic on highway needs to be considered.

20 letters of objection

- Density and scale of development (6 would be more acceptable)
- Impact in combination with other recently permitted schemes on neighbourhood amenity and semi-rural character of the area
- Overlooking of adjacent properties to the west – requirement for minimum cill height of 1.6m for 1st floor windows and restriction on new windows as was imposed for 10A Stoney Lane
- Further information required regarding distances to adjacent properties
- Due to rising ground potential for overlooking from ground floor windows
- Overlooking of properties on opposite side of the road
- Rear conservatory to 10 Woodstock Court not shown on the plan therefore only 10.95 between buildings not 14.35 as shown
- Height of roofs should be such to prevent addition of bedrooms in the roof space because of limited parking and potential for overlooking
- Height of house on plots 6 will be overbearing – eaves height should be reduced to the same as no 10 Woodstock Court
- House on plot 7 is much larger than bungalow it replaces and being forward of the building line will be over dominant – needs to relate in scale and design to surrounding properties as it is in 'gateway position'
- Extent of hedge removal not clear
- Loss of light to gardens in Woodstock Court
- Design not in keeping
- Gardens of new properties too small and no provision for water butts
- Solar panels and other environmental benefits should be considered
- due to narrow access, inability of delivery vehicles to turn on site and increased traffic flow from this and other recently permitted schemes in the area (4 dwellings at no 2 and 4 dwellings at no 7) with total of 8 junctions within 350 m will impact on

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- highway safety.
- Road too narrow for refuse lorry and road-side collection unacceptable in terms of smell, noise and highway safety
 - Road too narrow for emergency vehicles
 - Car ports to plots 1, 2 and 5 not shown on the plans
 - Plots 1 and 2 could be converted to 4 beds so parking inadequate
 - No visitor parking
 - No cycle parking
 - No indication of sustainable elements such as water conservation or use of solar panels
 - Suggested 20mph zone/speed awareness displays
 - Suggest traffic management plan in view of Barton Farm development
 - Simultaneous construction of this and recently permitted schemes could result in highway safety issues from construction traffic
 - No ecology report available
 - Publicity period too short
 - Query whether financial benefit to the Council more important than detrimental impact on residents
 - Threat of appeal should not influence decision

Relevant Planning Policy:

Winchester District Local Plan Part 1

MTRA1, CP1, CP2, CP10, CP11, CP13, CP14, CP15, CP16, CP17

Winchester District Local Plan Part 2

DM1, DM2, DM13, DM15, DM16, DM17, DM18, DM19, DM20

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Planning Considerations

Principle of development

The site is within the built-up area of Winchester where Policies DM1, CP1 and MTRA1 of the Winchester District Local Plan Part 1 support residential development subject to compliance with other policies in the development plan.

The density will be 30 dwellings per hectare which is consistent with development densities found elsewhere within the locality and the site is in walking distance of services and shops. The proposal is therefore considered to be an effective use of land in compliance with Policy CP14 of the Winchester District Local Plan Part 1, subject to an appropriate layout and design.

The proposal is for a mix of 2 and 3 bed dwellings and therefore meets the requirements of Policy CP2 of the Winchester District Local Plan Part 1 which seeks a range of dwelling

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types, tenures and sizes with the majority of homes 2 and 3 bed houses, unless local circumstances dictate an alternative approach should be taken, including where there is an imbalance of housing types and sizes.

As the scheme is less than 10 dwellings in accordance with paragraph 63 and annexe 2 of the NPPF 2018 no affordable housing provision or contribution is required.

Impact on Character of the Area and Design

All development proposals must meet the highest standards of design as set out in the Supplementary Planning Guidance 'High Quality Places'. There is no dominant architectural style or use of materials in the vicinity. The houses are of a traditional design which will look in keeping with the area. There are similar developments in the vicinity in former rear gardens. The verdant nature of this locality will be retained with the existing trees and hedges and new planting which will be required by conditions 3, 13 and 14. As such the proposal complies with Policy CP13 of the Winchester District Local Plan Part 1 and Policies DM2, DM15, DM16 and DM17 of the Winchester District Local Plan Part 2.

Impact on Residential Amenity

There are no windows in the side elevation which faces Woodstock Court on plot 1 at first floor level or the north east elevation of plot 2 which faces the long back gardens of the houses to the east. There is sufficient distance between the windows of the front elevation of dwellings on plots 3-6 and properties in Woodstock Court which they face to prevent any loss of privacy from overlooking. The distance between the rear elevations of the houses on plots 3-6 and those of the properties to the north and east (which have long back gardens) is more than 40 metres and therefore significantly exceeds guidelines for overlooking. The house replacing no 8 projects no further back or forward than the existing dwelling at number 6 and there are no first floor windows proposed on the south west (side) elevation of the new house which would overlook Woodstock Court properties. Due to the orientation and distance between the proposed and existing properties the impact on light and outlook will not be significant.

There are no windows on the side elevations of plots 1 and 2 which face each other and the only windows on the side elevations of plots 3-5 are at ground floor. The gardens are of an adequate size for the new occupiers.

A Construction Management Plan will be required by condition 4 to minimise the impact on local residents from dust, noise and odours and disruption from construction traffic. Therefore, the amenity of existing and future residents will be addressed in accordance with the requirements of Local Plan Part 2 Policies DM17,18, 19 and 20.

Impact on Trees

A total of 8 of the 20 trees on the site (a birch, 2 hazel, 4 apple and 1 walnut) and parts of the 4 existing hedgerows will be removed to accommodate the development and 2 groups of sycamore trees will be removed because they are in poor condition/of poor quality. A landscaping scheme required by conditions 13 and 14 will compensate for the loss of these trees and hedges. Other trees may be affected by car parking surfacing therefore measures are required to minimise the impact including cellweb cellular confinement system and in some areas tree root systems will be within the foundation area proposed and excavation in

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these areas will be undertaken by hand in accordance with the submitted Arboricultural Method Statement. Subject to conditions 3, 13 and 14 the proposal will comply with Policy DM15 of the Winchester District Local Plan Part 2.

Impact on Highways

The houses will be accessed by a private driveway and the details of the junction design will be secured by condition. The Refuse Manager has agreed bins can be collected from a central point and the details will be secured by condition 7. The car parking meets the current standards at 2 spaces per dwelling. No concerns have been raised by the Highway Authority relating to the capacity of the road network or access arrangements subject to these conditions. The proposal therefore accords with Policy CP10 of the Winchester District Local Plan Part 1 and Policy DM 18 of the Winchester District Local Plan Part 2.

Impact on Biodiversity

The site is within 2km of the River Itchen SAC and SSSI therefore drainage needs to be designed to prevent pollution. Whilst the property to be demolished has the potential for bat roosts three emergence survey have been undertaken but no bats have been recorded roosting. A population of slow worms will need to be relocated. There is a pond on site therefore amphibians need to be considered during construction. Mitigation measures are therefore proposed which will be secured by condition 8. As such there will be no conflict with Policies CP15 and CP16 of the Winchester District Local Plan Part 1.

Flood risk and drainage

The site is in Flood Zone 1 therefore the risk of flooding is low. A SuDs scheme is proposed and details will be required by condition 8. It is proposed to connect to the public sewer. As such the proposal complies with Policy CP17 of the Winchester District Local Plan Part 1 and Policy DM17 of the Winchester District Local Plan Part 2.

Conclusion

The proposal is for a well designed scheme which will provide 7 additional houses in a sustainable location and will not have an adverse impact on the character of the locality, residential amenity, highway safety, or biodiversity. The proposal therefore meets the requirement of the relevant policies cited of the Winchester District Local Plan Parts 1 and 2.

Recommendation

Application Permitted subject to the following conditions:

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).

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02 No works including demolition shall commence on site until the mitigation measures set out in section 5.1 I-X in the Biodiversity Report prepared by Peachecology dated 29 June 2018 have been implemented in full. No works including demolition shall take place on site unless the reptile fence referred to in 5.1.II-V is in place.

Reason: In the interest of biodiversity and to comply with Policies CP15 and CP16 of the Winchester District Local Plan Part 1.

03 No works including demolition shall take place on site except in accordance with the Arboricultural Method Statement paragraphs 51-135 and appendices of the Arboricultural Impact Appraisal and Method Statement by Technical Arboriculture dated July 2018.

Reason: To ensure that the trees to be retained are not damaged during construction in the interests of biodiversity and to maintain local distinctiveness and green infrastructure to comply with Policies CP15 and CP16 of the Winchester District Local Plan Part 1 and Policy DM 15 of the Winchester District Local Plan Part 2.

04 No works shall commence on site, including demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust suppression, mitigation and avoidance measures.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, footpaths and highways.
- Details of provisions to be made for parking and turning on site of operative and construction vehicles.
- Details of measures to be taken to prevent mud from leaving the site during construction works being deposited on the public highway
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control

Thereafter, the approved Construction Management Plan shall be implemented fully throughout the construction period or other period as agreed through the plan and in writing by the Local Planning Authority.

Reason: in order to ensure that the construction process is undertaken in a safe and convenient manner that limits impact on local roads and the amenities of nearby occupiers, the area generally, biodiversity, and in the interests of highway safety in accordance with Policies DM17, DM18, DM19 and DM20 of the of the Winchester District Local Plan Part 2.

05 The proposed access and drive, including the footway crossing shall be laid out and constructed in accordance with specifications to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory means of access in the interests of highway safety to comply with Policy CP10 of the Winchester District Local Plan Part 1 and Policy DM18 of the Winchester District Local Plan Part 2.

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06 The parking areas including any garages shall be provided in accordance with the approved plans before 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 dwelling houses as a residences.

Reason: To ensure the permanent availability of parking for the property to comply with Policy CP10 of the Winchester District Local Plan Part 1 and Policy DM18 of the Winchester District Local Plan Part 2.

07 No development shall take place above slab level until a plan has been submitted to and approved in writing by the Local Planning Authority showing a bin collection point to serve as a temporary storage point for refuse bins on collection days which must be located within 15m of the public highway.

Reason: In the interests of highway safety to comply with Policy CP10 of the Winchester District Local Plan Part 1 and Policy DM18 of the Winchester District Local Plan Part 2.

08 No development shall take place until a detailed surface water drainage strategy has been submitted to and approved by the Local Planning Authority in writing. The surface water drainage strategy shall contain the following elements:

- Information evidencing that the correct level of water treatment exists in the system in accordance with the Ciria SuDS Manual C753
 - Maintenance regimes of entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element. - Evidence that those responsible/adopting bodies are in discussion with the developer and evidence of measures taken to protect and ensure continued operation of drainage features during construction.
 - Detailed drainage layout including calculations and flow control device information
- The development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory provision of surface water drainage and to prevent any pollution which would harm the integrity of the River Itchen which is a Special Area of Conservation and a Site of Special Scientific Interest to comply with Policies CP16 and CP17 of the Winchester District Local Plan Part 1 and Policy DM17 of the Winchester District Local Plan Part 2.

09 No development shall take place until detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwelling shall 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 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.

10 Prior to the occupation of any 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

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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.

11 Prior to the commencement of the development hereby permitted details of the proposed means of foul drainage shall be submitted to and approved by the Local Planning Authority in writing. The development shall be constructed in accordance with the approved details.

Reason: To ensure satisfactory provision of foul drainage to comply with Policy DM17 of the Winchester District Local Plan Part 2.

12 No development shall take place above slab level until a schedule of materials for the external surfaces of the development hereby permitted shall be submitted to and approved by the Local Planning Authority in writing. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure appearance of the development is satisfactory to comply with Policies DM15, DM16 and DM17 of the Winchester District Local Plan Part 2.

13 No development shall take place on the site until a landscape scheme in accordance with the recommendations set out in paragraphs 5.1. 1, 5.1.X, 5.3, 5.6, 5.7, 5.8, 5.9, 5.10, 5.12 and 5.13 of the Biodiversity Report prepared by Peachecology dated 29 June 2018 and paragraph 46 of the Arboricultural Impact Appraisal and Method Statement by Technical Arboriculture dated July 2018 has been submitted to and approved by the Local Planning Authority in writing. The landscape scheme shall include the following elements:

- the position of all retained trees
- means of enclosure
- the planting to be undertaken including position, species, size and number
- the materials to be used for paved and hard surfaces
- the finished levels in relation to existing levels
- the arrangements to be made for the future maintenance of landscaped and other open areas.

Reason: To ensure the verdant appearance of the site is maintained and in the interests of biodiversity to comply with Policies CP15 and CP16 of the Winchester District Local Plan Part 1 and Policies DM15 and DM16 of the Winchester District Local Plan Part 2.

14 The landscape scheme approved under condition 13 shall be fully implemented before the buildings are occupied and thereafter maintained in accordance with the approved details.

Reason: To ensure the verdant appearance of the site is retained and in the interests of biodiversity to comply with Policies CP15 and CP16 of the Winchester District Local Plan Part 1 and Policies DM15 and DM16 of the Winchester District Local Plan Part 2.

15 No external lighting shall be provided on the site other than in accordance with details submitted to and approved by the Local Planning Authority in writing.

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Reason: In the interest of biodiversity and to comply with Policies CP15 and CP16 of the Winchester District Local Plan Part 1.

16 The windows on the south west elevation at first floor on plot 6 shall be divided into 2 horizontally with only the top light capable of being opened and shall be glazed with obscure glass and maintained in that condition.

1Reason: To protect the amenities of the occupiers of the adjacent property to comply with Policy DM17 of the Winchester District Local Plan Part 2.

17 The development shall be carried out in accordance with the following plans:

2149/01
2149/02
2149/03
2149/04
2149/05
2149/06
2149/07
2149/08
2149/09
2149/10
2149/11
2149/12
2149/13
2149/14
2149/15
2149/16
2149/17
2149/18
2149/19
2149/20
2149/21
2149/22

Reason: For the avoidance of doubt and in the interests of proper planning and in the interests of visual and residential amenity to comply with Policies DM 15, DM16 and DM17 of the Winchester District Local Plan Part 2.

Informatives:

01 In accordance with paragraphs 186 and 187 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

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In this instance the applicant was updated of any issues after the initial site visit.

02. 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.

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

Local Plan Part 1 - Joint Core Strategy: DS1, MTRA1, CP1, CP2, CP3, CP10, CP11, CP13, CP14, CP15, CP16, CP17

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations: DM1, DM2, DM13, DM14, DM15, DM16, DM17, DM18, DM19, DM20.

04. 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.

05. 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.

06. 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.

07.. 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.

The submitted details should be clearly marked with the following information:

The name of the planning officer who dealt with application

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The application case number

Your contact details

The appropriate fee.

08. The minimum internal dimensions of the garage must be 3m by 6m and the minimum width of the entrance door to the garage should be a 2.44m (8ft) - Reason:- In order that the garage can be used and accessed by modern cars, several of which now have larger vehicle dimensions.

09. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

10. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk