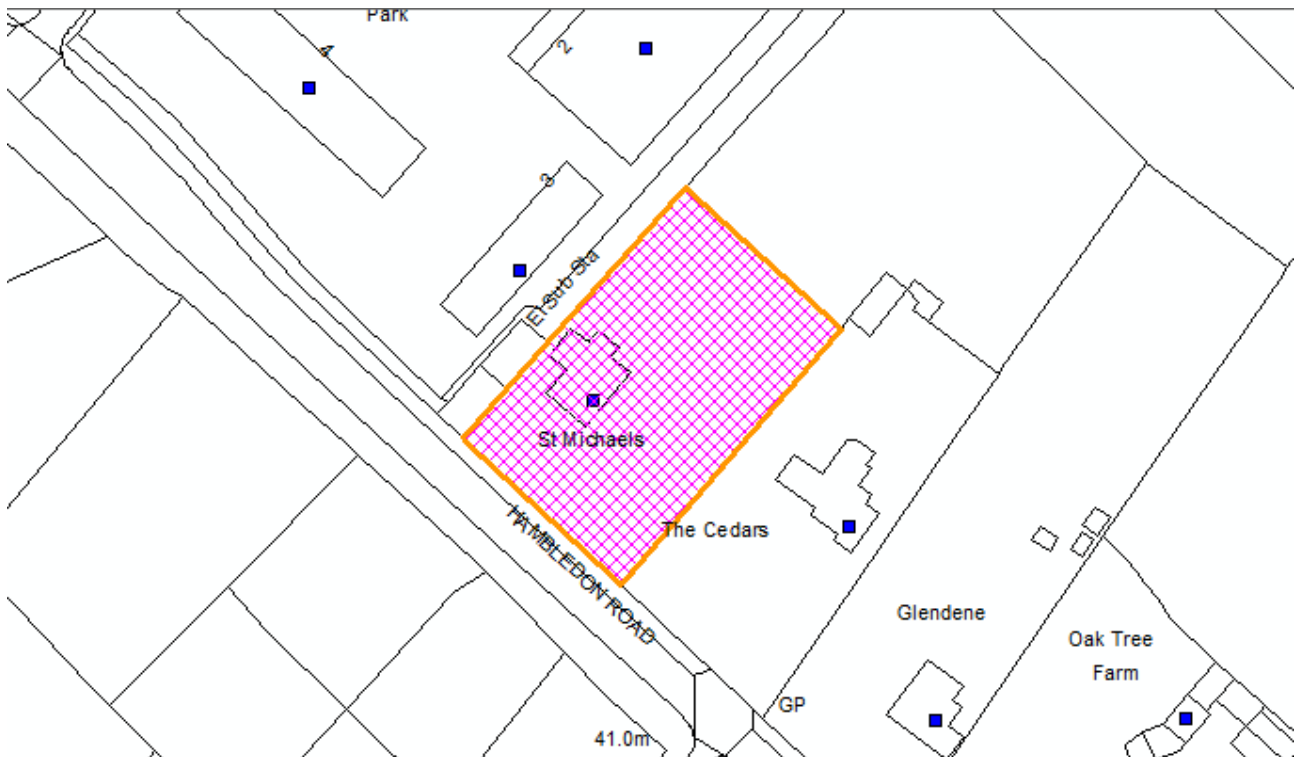


Case No: 23/01121/FUL
Proposal Description: Revised application for Replacement Dwelling previously approved 28/10/22 - ref: 22/01720/FUL. with Design & Access Improvements.
Address: St Michaels, Hambledon Road, Denmead, Waterlooville, Hampshire
Parish, or Ward if within Winchester City: Denmead Parish Council
Applicants Name: Mr James Spencer
Case Officer: Cameron Taylor
Date Valid: 8 May 2023
Recommendation: Permit
Pre Application Advice No

Link to Planning Documents

[Link to page – enter in reference number 23/01121/FUL](https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple)
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Case No: 23/01121/FUL

Reasons for Recommendation

The development is recommended for permission as it is considered that it will not have an adverse impact on the character of existing site and the surrounding area and would not harm neighbouring residential amenity.

General Comments

The application is reported to Committee at the request of Denmead Parish Council, whose original comment and following correspondence is included in Appendix A.

The application is resubmission of approved planning permission 22/01720/FUL. The site has since been sold on and the new owner proposes design and access amendments to the approved scheme under this current application.

Amendments to Plans Negotiated

None

Site Description

The site previously comprised a modest bungalow which required significant attention if it were to be prevented from falling into disrepair. This bungalow has since been demolished as part of the previous planning permission on the site in 2022. The site is now laid largely to hard-core surfacing with low timber fencing forming all boundaries. The site is accessed via Hambledon Road to the south west of the site. A residential property (Cedars) sits immediately adjacent to the east and Byngs Business Park sits immediately adjacent to the west. More generally the site sits within a rural area, surrounded by open arable fields and paddocks.

Proposal

Revised Application for Replacement Dwelling previously approved on 28 October 2022 under reference 22/01720/FUL.

Relevant Planning History

74/00554/OLD - Erection of dwelling – Refused

22/00467/FUL- Proposed Demolition of Existing Bungalow and Construction of a Replacement Dwelling- Withdrawn

22/01720/FUL- Proposed Demolition of Existing Bungalow and Construction of a Replacement Dwelling- Permitted

Consultations

Consultee:

Hampshire County Council (Highway Authority) – No objection

Representations:

Denmead Parish Council: Object. See Appendix 1

No other representations received

Relevant Government Planning Policy and Guidance

National Planning Policy Framework

Section 2 Achieving Sustainable development

Section 4 Decision Making

Section 8 Promoting healthy and safe communities

Section 12 Achieving well designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 16 of the National Planning Policy Framework 2021

National Planning Practice Guidance

Climate Change

Consultation and pre-decision matters

Design: process and tools

Environmental Impact Assessment

Flood risk and coastal change

Planning Obligations

Use of planning conditions

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1).

Policy DS1 – Development Strategy and Principles

Policy SH1 – South Hampshire Urban Areas

Policy MTRA1 – Development Strategy Market Towns and Rural Areas

Policy MTRA2 – Market Towns and Larger Villages

Policy MTRA4 – Development in the Countryside

Policy CP10 – Transport

Policy CP11 – Sustainable Low and Zero Carbon Built Development

Policy CP13 – High Quality Design

Policy CP14 – The Effective Use of Land

Policy CP15 – Green Infrastructure

Policy CP16 – Biodiversity

Policy CP17 – Flooding, Flood Risk and the Water Environment

Policy CP18 – Settlement Gaps

Policy CP20 – Heritage and Landscape Character

Winchester District Local Plan Part 2 – Development Management and Site Allocations

Case No: 23/01121/FUL

Policy DM1 – Location of new development
Policy DM15 – Local Distinctiveness
Policy DM16 – Site Design Criteria
Policy DM17 – Site Development Principles
Policy DM18 – Access and Parking
Policy DM23 – Rural Character

Denmead Neighbourhood Plan

Policy 1

Supplementary Planning Document

National Design Guide 2019
High Quality Places 2015
Residential Parking Standards December 2009

Other relevant documents

Climate emergency declaration carbon neutrality action plan 2020-2030
Statement of Community Involvement 2018 and 2020
Biodiversity Action Plan 2021
Historic England Guidance
Constructive Conservation in Practice 2008
Constructive Conservation Sustainable Growth for Historic Places 2013
Conservation Principles Policies and Guidance 2008
Historic Environment Good Practice Advice in Planning: Published 30 June 2020
Winchester Future 50 Conservation Area Project 2018-2020

Planning Considerations

Principle of development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2023) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The application site is situated outside of a defined settlement boundary and as such is on land classed as designated countryside. The principle of replacing an existing dwelling in the countryside is considered acceptable subject to compliance with the relevant planning policy.

The application site is within the defined settlement gap between Denmead and Waterlooville (under policy CP18 of the Local Plan Part 1). Within this area, only development which does not physically or visually diminish the gap is allowed. The proposal involves an existing residential plot which includes built form and residential features. As a result, the principle of constructing a replacement dwelling is acceptable within this area and the function of the gap is not harmed. The impact of the development on the character of the area and the wider gap is made throughout this report.

In particular, policy DM3 (small dwellings in the countryside) of the council's Local Plan Part 2 applies. The policy seeks to retain small dwellings in the countryside by ensuring
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that dwellings with a gross external floorspace of up to 120 sqm are restricted to extending by up to 25% of their original size. The information submitted with this application demonstrates that the existing dwelling has a gross external floorspace in excess of 120 sqm at approximately 195 sqm and is therefore not restricted by policy DM3.

This application is also a resubmission of an approved application for a replacement dwelling on the site (22/01720/FUL) which is a material consideration.

The principle of development is therefore considered acceptable.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations, therefore an Environmental Impact Assessment is not required.

Impact on character and appearance of area

The existing application site comprised an existing modest single storey bungalow. The previous dwelling on the site, now demolished as part of the planning permission in 2022, was run down, in need of significant attention and did not make any particular contribution to the rural character of the surrounding area. The site is bound on two sides by existing development in the form of Byngs Business Park on one side and another larger two storey dwelling on the other.

The proposal seeks to demolish and replace the existing dwelling with a larger chalet style dwelling along with a detached single storey garage. The proposed dwelling, whilst considerably larger in terms of size, scale and massing, will sit within a generous residential curtilage with large front and rear gardens. As such, it is not considered that the proposed new dwelling will overdevelop the site and thus is considered to be proportionate in terms of scale, massing and size in relation to the site. The proposal, whilst similar in its overall scale to the previously consented replacement dwelling in 2022, has been designed so that the visual mass of the building has been broken up, rather than a singular mass.

The proposed detached garage will be controlled via condition 4 to ensure that its use remains appropriate to the use of the site and its location which is for parking and other domestic ancillary storage purposes. This addresses concerns raised with regard to the potential for the detached garage to become a dwelling in its own right.

The character of the area is rural, demonstrated by the densely tree lined and vegetated roadside along and the open arable fields and paddocks which are prominent within the sites immediate vicinity. Given the character of the area, it is important to ensure that consideration is given to policy DM23 (rural character). The proposed dwelling is of a design and appearance that is considered to respect the qualities of the site and is considered to present a more complementary visual appearance than that of the previous dwelling on the site. The materials proposed within the external surfacing of the development are considered to be high quality and in keeping with the rural character of the area, ensuring the dwelling is sympathetic to its surroundings and does not appear incongruous. To secure the quality of proposed materials, a condition is included

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(condition 03) requesting details and samples of the proposed materials prior to the development exceeding damp proof course level.

The site falls within a settlement gap, however as the site is previously developed land of a residential use/nature, the proposed replacement dwelling is not considered to physically or visually diminish the settlement gap. It is acknowledged that the proposal now includes a detached garage and from the street scene, will read as a separate building; concern has been raised with regards to this being the creation of an additional building in the settlement gap. However, as a domestic garage it will be clearly linked to the main residential use of the site, with a condition in place to ensure its use is appropriate. It is not considered that the detached garage, in its own right, will physically or visually diminish the settlement gap.

Based upon the above assessment it is considered that no adverse impact can be demonstrated upon the character and appearance of the existing site and surrounding area. The proposed development therefore accords with policies CP16 of the LPP1 and DM15, DM16, DM23 of the WD LPP2.

Development affecting the South Downs National Park

The application site is located 2.15km from the South Downs National Park

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) updated 2021. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Due to the intervening features and distance, the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

There will be no adverse impact as the works do not affect a statutory listed building or structure including its setting; the area is not a conservation area and there is no archaeological sensitivity or non-designated Heritage Assets within the sites vicinity.

Neighbouring amenity

Due to the location and nature of the application site there is just one immediate neighbour which is The Cedars. Due to the intervening distances involved and the positioning of the two dwellings in relation to each other, it is considered that no adverse impact can be demonstrated upon residential amenities by way of overlooking, overshadowing and overbearing.

The proposed development therefore accords with policy DM17 of the WD LPP2.

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Sustainable Transport

The current application revises the vehicle access location when compared to the existing vehicular access.

The proposal demonstrates that the required visibility splays are achievable (drawing StM-04-A) and that the proposed access gate is situated 6.0m from the highway edge. Additionally, the revised driveway layout and garage are suitable for the purpose of parking, and also allow for on-site turning to enable forward gear access and egress.

Therefore the proposal complies with policy DM18 of the WD LPP2.

Ecology and Biodiversity

The proposal will have no adverse impact as it is not development within, bordering or in close proximity to a European Protected Site (i.e. River Itchen SAC, The Solent SAC, SPAs, Ramsar Sites).

Comments concerning the removal of vegetation on the site are acknowledged and condition 11 is included to ensure an appropriate landscaping plan is implemented. This also secures details of biodiversity enhancement measures.

The proposal is a replacement dwelling and there no additional unit of accommodation is provided to require nutrient mitigation.

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

Sustainability

The application was submitted without information to enable the Local Planning Authority to be sure that the proposed development would comply with policy CP11 (Sustainable Low and Zero Carbon Built Development) of LPP1. The replacement dwelling will need to meet the requirements for sustainable construction required by policy CP11 of the LPP1, (as modified by Government announcements) which means achieving code 4 of the Code for Sustainable Homes. A condition is included within the recommendation which ensures that no development above 'damp proof course level' shall take place until the relevant details are submitted. A pre occupation condition requesting the same details is also included.

The proposal therefore complies with policy CP11 of the Local Plan Part 1.

Sustainable Drainage

With regard to foul drainage, the existing site benefits mains sewer connection which is confirmed via the submitted plan highlighting the nearest Southern Water connection point.

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The proposed dwelling is to be connected to the existing connection currently serving the existing property.

No information has been provided with regard to detailed surface water drainage plans and therefore a pre commencement condition is included requesting these details.

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.

Planning Balance and Conclusion

The proposal would not have a significant adverse impact on the character and appearance of the existing dwelling and area or upon the amenities of neighbouring properties. The proposal therefore complies with policies DM1, DM3, DM15, DM16, DM17, DM18, DM23 of the WD Local Plan Part 2 (2017) and DS1, CP11, CP13, CP16, CP18 and CP20 of the WD LPP1 (2013) and the High Quality Places SPD

Recommendation

Permit 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.

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

Proposed Site Plan - StM-04-A

Proposed Floor Plans - StM-01-B

Proposed Elevations

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

3.

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Details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted prior to the development exceeding damp proof course level.

Development must then continue in accordance with the approved details.

Reason: To ensure a satisfactory visual relationship between the new development and its surroundings.

4. The garage hereby approved shall only be used for the parking of motor vehicles and other associated domestic storage unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the use of the garage remains appropriate to its countryside location and to protect the amenity of the locality.

5. No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

6. No development above damp proof course level of the development hereby permitted shall take place until 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 and to accord with the requirement of Policy CP11 of the Winchester District Local Plan Part 1 - Joint Core, Strategy.

7. Prior to the occupation of the dwelling 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 an 'as built' stage SAP calculation and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval. The development shall be occupied in accordance with the approved details.

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

8. Detailed proposals for the disposal of 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 development hereby permitted.

Reason: To ensure satisfactory provision surface water drainage

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9. Details of provisions to be made for the parking and turning on site of operative and construction vehicles during the period of development shall be submitted to and approved in writing by the Local Planning Authority and fully implemented before development commences. Such measures shall be retained for the construction period.

Reason: In the interests of highway safety.

10. Prior to the occupation of the replacement dwelling hereby approved, a Landscaping Plan must be submitted to and approved in writing by the Local Planning Authority.

The Landscaping Plan must include:

- Materials used for hard landscaped areas
- Soft landscape areas (including species)
- Boundary treatments (including species)
- Biodiversity enhancement measures.

Development must then continue in accordance with the approved details.

The hard landscaping must be completed prior to the occupation of the replacement dwelling.

The soft landscaping must be completed within the next available planting season.

If, within a period of 5 years any vegetation dies, becomes diseased or defective, a replacement of the same species must be planted in the same location within the next available planting season.

Reason: In order to obtain further detail of the landscaping of the site including enhancement measures.

Informative:

1.

In accordance with the 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.

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, CP13, CP11, CP16, CP18, CP20, MTRA4

Local Plan Part 2 - Development Management and Site Allocations: DM1, DM3, DM15, DM16, DM17, DM18, DM23

High Quality Places 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

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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>

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>

5.

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 Practise

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

Appendix A

From: **Denmead Parish Council Parish**

Case No: **23/01121/FUL**

Location: St Michaels Hambledon Road Denmead Waterlooville Hampshire PO7 6JB
Proposal; Revised Application for Replacement Dwelling previously approved 28/10/22 -
ref: 22/01720/FUL.
with Design & Access Improvements.

Comments:

Denmead Parish Council wishes to raise a STRONG OBJECTION with a request that the application is considered by Winchester City Council's Planning Committee if the Case Officer is minded to approve the application, on the following grounds:

- The application is contrary to the Winchester City Council Local Plan Part 1 Policy CP18 – Settlement Gaps, which states that only development that does not physically or visually diminish the Gap will be allowed. This proposal is in essence two buildings of a very large footprint with a carport linking them, which is an additional building in the Gap. The proposal both physically and visually diminishes the Gap.
- The proposal does not blend with the street scene in this locality, which are plots with one large house on each. Visually the proposal appears to be an extremely large house with a bungalow adjacent, linked by a carport.
- The whole site was cleared of all trees and mature hedgerow prior to this application and is now devoid of any biodiversity. It appears an unnecessary removal of hedgerow when an acceptable access to the site already exists. It is questioned whether the requirement of net gain biodiversity can be met with such large building footprints.
- The Parish Council requests that a condition is added to the effect that the second building should remain as a garage in the curtilage of the main property in perpetuity.

Request for application to be considered by Committee:

Denmead Parish Council wishes to raise a STRONG OBJECTION with a request that the application is considered by Winchester City Council's Planning Committee if the Case Officer is minded to approve the application, on the above stated grounds.

Signed: Jo Hollingshead, Committee Clerk

Date: 29 June 2023

Good afternoon,

I am writing to you with regard to the attached objection comment submitted by the parish council on this application. The parish council have requested that this be taken to a planning committee, which to do so, the request needs to be completed on the proper form. However, before this is done, I wondered if I could address the points made by the PC.

The parish council will be aware that a large replacement dwelling was permitted on this site as recently as 2022 which the Parish Council did not object to. This permission saw a very large replacement dwelling permitted on the site. The new proposal, seeks a replacement dwelling of a different design which is not dissimilar in floor space to that already approved in 2022. If the proposed detached garage sought under this current application were to be attached to the main dwelling, the proposal would see a more singular mass, comparable to that approved in 2022. This current application however breaks the massing up with the garage being detached. To conclude, the current proposals are not dissimilar in size to that which has already been approved in 2022.

Whilst the detached garage is large, it is not proposed to be a dwelling in its own right (reference to the PC's comments labelling it a bungalow). We could include a condition restricting its use to that only of a garage for vehicles and other domestic storage, to ensure that its use remains appropriate to the site and wider area. To summarise, whilst large, the use of the garage can be restricted by a condition which would resolve this issue.

With reference to settlement gaps, it is in principle acceptable in planning terms for a replacement dwelling to be erected in this area, as confirmed by the recent permission in 2022. Whilst the current application now includes a detached garage and strictly speaking would read as two buildings on the site, the overall size of the proposed development is similar to that which was approved in 2022 and so it would be very difficult to justify a refusal on this basis.

On the point of biodiversity, it is acknowledged that the site has been cleared and that a new access arrangement is proposed and it is agreed that the site is devoid of much biodiversity. In this instance, we could look at conditioning a biodiversity enhancement plan for the site which would help to resolve this concern.

I hope this helps to resolve some of the concern raised by the PC. If not, please complete the request for this to be heard by a planning committee on the proper form at your earliest convenience.

Kind regards,

Jordan Wiseman
Senior Planning Officer

Winchester City Council
Colebrook Street
Winchester, SO23 9LJ

Caution: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Morning
Jordan,

Thank you for your email. Please find attached the official form that I sent before.

I have now spoken to the Chairman of my planning committee, and we wish to advise you that your suggestion of the condition on the garage building was suggested by us in Point 4 on the attached document.

We note that you have agreed with us that this is an extra and separate building in The Gap, and not a replacement dwelling, which is against policy, and so we believe that you should agree with us that the application should be rejected.

Kind Regards

Jo Hollingshead
Committee Clerk (Highways & General Purposes / Planning)

