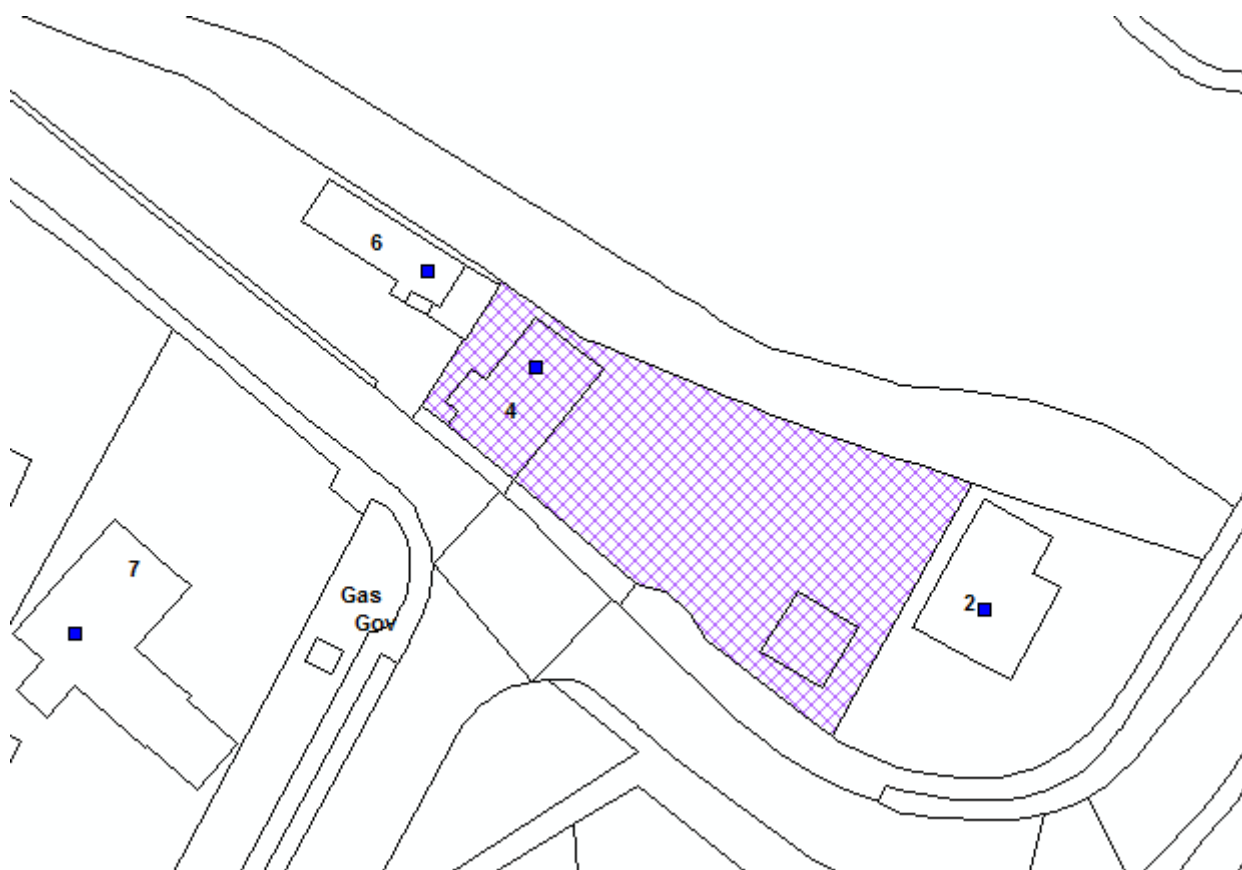


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**Case No:** 18/01697/FUL  
**Proposal Description:** (AMENDED PLANS) New dwelling  
**Address:** Bramble Cottage 4 Dean Lane Winchester SO22 5LH  
**Parish, or Ward if within Winchester City:** St Barnabas  
**Applicants Name:** Mr & Mrs Thomas  
**Case Officer:** Lisa Booth  
**Date Valid:** 23 July 2018  
**Recommendation:** Application Permitted



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**General Comments**

Application is reported to Committee as the number of objections received contrary to the Officer's recommendation.

Amended plans were received 15<sup>th</sup> October 2018, showing a reduction in ridge height from 8.2m to 7.8m to the ridge, plus the removal of the central chimney.

**Site Description**

The site is situated on Dean Lane, approximately 1 mile to the north-west of the city centre and has an area of approximately 0.03 hectares. It is well connected to public amenities, with shops including Aldi and Waitrose situated nearby on Stockbridge Road, which is also a main bus route into Winchester.

The area is predominantly characterised by detached dwellings situated with good sized gardens.

The site backs onto a recreation ground with a band of TPO'd trees along the northern boundary within the park grounds.

There is a tall hedge along the road boundary on each side of the existing access, which is to be retained.

The site consists of a predominantly flat unused/overgrown area of garden and detached garage/parking area to the east of Bramble Cottage.

**Proposal**

The proposal is to demolish the existing double garage and replace it with a two storey 3 bedroom dwelling built of white render and slate roof, measuring 8.5m by 8.5m, with an eaves height of 5.8m and ridge height of 7.8m.

There is a gap of approximately 1.5m to the boundary with no. 2 Dean Lane, 9.75m to the boundary with the park at the rear and 22m to Bramble Cottage. The proposed dwelling is set back from the edge of the road by approximately 6.7m.

A single garage and parking area for 4 cars will also be provided to the north-west of the proposed dwelling and will use the existing access off Dean Lane, creating a shared driveway and parking area for the new dwelling and Bramble Cottage.

A new hedge is proposed along the boundary to the north and the hedge along the pavement boundary is to be retained.

**Relevant Planning History**

80/01699/OLD - Erection of detached house. REF 23rd December 1980.

82/00736/OLD - Erection of dwelling and garage. REF 5th January 1982.

82/00737/OLD - Erection of dwelling. REF 2nd March 1982. DISMISSED AT APPEAL 25th August 1982.

93/01577/OLD - Double garage. PER 5th October 1993.

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**Consultations**

WCC Engineers: Drainage:

Within Flood Zone 1, however site at high risk of surface water flooding.  
Foul drainage is to connect to the foul sewer. Surface water drainage to soakaways designed for the 1 in 100 year storm event plus an allowance for climate change.  
Driveways should be permeable where possible.  
Acceptable subject to condition (2)

WCC Engineers: Highways:

The application is for a new dwelling to be served from the existing access.  
Satisfied that adequate parking is provided and that adequate visibility exists at the existing access.  
No highway objections, subject to conditions (3, 4 & 5)

WCC Head of Historic Environment:

Located to the east of 6 Dean Lane, a grade II listed building. Proposed dwelling located at the eastern edge of the curtilage currently serving 4 Dean Lane, which would site it as far as possible within this site from the listed building.

The proposed dwelling would be some distance from 6 Dean Lane and located to the east of 4 Dean Lane which would provide a visual and physical buffer between the two structures. The proposed dwelling would not compete with the listed building in terms of height or scale given the distance, orientation and oblique angle between the two properties, and would not harm the ability to appreciate the significance of 6 Dean Lane. As such it is considered that the proposed dwelling would not harm the setting of 6 Dean Lane.

WCC Head of Landscape (Trees):

No objection, subject to condition (6)

**Representations:**

City of Winchester Trust: The Trust has no objection in principle to an additional dwelling in the garden of No 4 Dean Lane. However, it is not convinced that a single formal town house with a false central chimney stack would be appropriate in this suburban, edge of city context.

27 letters from 22 different addresses received objecting to the application for the following reasons:

- Garage facing pavement, so no driveway to park cars – will park on pavement
- Traffic hazard with junction of Teg Down Meads/Highway safety/blind spot/limited visibility on a bend/not enough parking and turning
- Too large for the site/overbearing in height, depth and width, materials.
- Limited amenity space
- Pretentious style of architecture
- Development should not be seen in isolation but integrated into the broader context of the area. Obvious all the extra buildings are causing a country lane to be urbanised with too much in filling and cutting down trees.

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- Plot too small to allow for a standard of development similar to Bramble Cottage.
- Previous refusals for a dwelling in 1980s. Area not changed much since then. Still a 'rural' lane.
- Inappropriate in a rural/semi-rural setting
- Loss of trees, shrubs, effect on wildlife/biodiversity – should be replaced.
- Poor planning statement
- Disregard of Neighbourhood Design Statement resulting in an oversized dwelling of a size and design not appropriate to a small site in a semi-rural area and which dominates the existing curtilage of Bramble Cottage. Visual impact.
- Close to neighbouring dwellings – impact on amenity/overlooking/increase in noise/light
- Does not follow building line of Dean Lane – will overshadow neighbour
- Hedge important wildlife corridor
- Likely to affect setting of listed building (Dean Prior)
- Contravention of highway safety/parking laws/listed building act

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

- Spelling on drawings

1 letters of support received.

- Dean Lane has been developed over the years to the extent where it is impossible to characterise its style of housing, therefore this traditionally designed house will fit as well as any between the modern house at 2 and the old building at number 4.
- Parking has been considered satisfactorily in the plans and will not impact on my property and in my opinion the issue of safety relates not to the road side curtilage of number 4 where cars are already slowing to turn the corner or into Teg Down Meads but further up the Dean Lane where they accelerate along the straight, despite the narrowness of the lane.

**Relevant Planning Policy:**

Winchester Local Plan Part 1 – Joint Core Strategy  
CP1, CP2, CP11, CP13, CP14. CP20

Local Plan Part 2 - Development Management and Site Allocations  
DM1, DM15, DM16, DM17, DM18, DM24

National Planning Policy Guidance/Statements:  
National Planning Policy Framework 2018

Supplementary Planning Guidance  
High Quality Places SPD  
St Barnabus West Neighbourhood Design Statement (2006)

Other Planning guidance  
Parking Standards SPD Manual for Streets.

**Planning Considerations**

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Principle of development

The proposal site is located within the main settlement boundary of Winchester and therefore there is a presumption in favour of additional housing development, subject to an assessment with other policies of the Local Plan.

Policy CP2 of the Local Plan Part 1 considers housing mix and introduces a more flexible approach to it moving away from the previous Local Plan requirement for 50% of the dwellings to be 1 or 2 bed. The policy requires that there should be a majority of 2 and 3 bedroom dwellings, unless local circumstances indicate an alternative approach should be taken. In this case the proposal is for a single additional dwelling and the provision of a 3 bedroom house will not therefore conflict with this policy, particularly as information has been provided that the majority of recent housing in the area has been for 2 bedroom units and a range of dwelling sizes is therefore being provided.

It is noted that there have been previous refusals (one dismissed at appeal) on the site for an additional dwelling on the basis that the development would not be compatible with the existing surrounding development. However, these decisions date back to early 1980's and, given the change in emphasis of Government guidance, it is not considered that they are material to the assessment of the current proposal. The area has also changed significantly since that time, with the addition of Parkside Gardens and infill developments off Teg Down Meads, Hill side Road and Dean Lane.

The site is 0.03hectares, which equates to 33 dwellings per hectare.

Design/layout

The site is an unused, unkempt area of land to the east of Bramble Cottage, which is a two storey white rendered dwelling with cat slide roof and dormer window to the rear. It is situated long ways to the road with the front door on the eastern elevation.

Although a majority of dwellings in the vicinity are brick, both neighbouring properties have an element of white render and it is not considered that its use in the new dwelling will be out of character with the immediate area.

The existing double garage will be demolished and replaced with a two storey white rendered and slate roofed dwelling. The design is simple and traditional in form and will be sited next to a more modern type of dwelling, typical of the area, and the older traditional design of Bramble Cottage. It is considered to be a good contrast between to two designs.

Whilst the resultant plot size will be slightly smaller than generally found in the immediate vicinity of the site, this will not be apparent in views from the surrounding area and is not dissimilar to other plot sizes in some of the newer development in the area. There will be sufficient amenity area for both the new dwelling and Bramble Cottage.

Impact on character of area and neighbouring property

The dwelling will sit forward of the neighbour at no.2, but behind the building line of Bramble Cottage. There is no specific building line along the majority of Dean Lane and the position of the proposed dwelling will be staggered between the two neighbouring dwellings, but will front Dean Lane more than no. 2, which has a deeper parking/hardstanding area to the front.

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Amended plans were received to reduce the roof height and the removal of the central chimney. The overall height of the dwelling now sits comfortably between the two neighbouring dwellings.

A shared parking area and single garage is proposed in the middle of the site and will appear predominantly similar to the hard standing that exists at present. Some additional parking area will be provided, but will be positioned behind the existing hedge that is to be retained (condition 10).

The proposed dwelling will sit forward of no. 2 and in terms of amenity will impact on activities from the front of the dwelling, namely parking area. The neighbours garden area is situated to the east of the dwelling and a narrow area to the rear, so will not be directly impacted by the built form of the dwelling.

There will be a view of the side of the dwelling from the front windows and parking area of no. 2, but it is not considered that this will be overbearing or lead to detrimental overshadowing, due to the separation and as there is sufficient gap between the properties.

There are no windows proposed in the south-east elevation and 1 no: ground floor window on the north-west elevation. Therefore, there will be no windows overlooking the side of no.2. There is sufficient distance between the proposed dwelling and Bramble Cottage for the ground floor window to have no detrimental overlooking issues and it will be partially obscured by the new garage. A condition has been applied to ensure no first floor windows will be inserted in the north-west and south-east elevations.

Ground floor windows to no.2 will still face onto a residential garden. Although currently unkempt, there is no reason why it cannot be used as a formal garden. Therefore, it is not considered that the garden area of the proposed house will have any more impact on the amenities of no.2 than its existing use as a garden for no. 4.

There is a dense band of protected trees along the boundary with the recreation ground and the new dwelling will be mostly obscured from view. Therefore, there will be limited visual impact on the users of this area.

#### Landscape/Trees

The trees to the rear of the site are the subject of a group TPO and no works on these trees are to take place to allow for the development.

An Arboricultural Impact Assessment and Method Statement was submitted and conditions have been attached to ensure the protection of the trees.

There is another tree within the corner of the plot to the front boundary, but is within no.2's curtilage, which affords some screening from the road. A small sycamore behind this will be removed, but is hidden by the retained tree.

A new hedge is to be planted to the rear boundary.

Although the beech hedge to the front boundary is to be retained, part of it will need to be removed to allow for the additional parking area. It is not considered that this will

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impact on the visual amenity afforded by the hedge.

Highways/Parking

Despite numerous comments regarding highway safety and inadequate parking, the Highway Engineer is satisfied that adequate parking is provided and that adequate visibility exists at the existing access and therefore no highway objections are raised.

Parking will need to be within the site, as there is no on street parking in close proximity to the proposed dwelling, due to double yellow lines being in place in front of the property.

**Recommendation**

Application Permitted subject to the following condition(s):

**Conditions**

01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before the occupation of the development.

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

03 Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway 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 duration of the construction period. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway.

03 Reason: In the interests of highway safety.

04 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.

04 Reason: In the interests of highway safety.

05 The parking areas shall be provided in accordance with the approved plans before the dwelling is 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 house as a residence.

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05 Reason: To ensure the permanent availability of parking for the property.

06 Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Appraisal and Method Statement written by Kevin Cloud of Technical Arboriculture, report ref: AIA/AMS-KC/BRAMBLE/001 dated October 2018 and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the AMS Telephone 01962 848015.

06 Reason: To retain and protect the trees which form an important part of the amenity of the area.

07 Prior to construction above slab level, samples of all the external materials of the building, walls and other structures and external hard landscaping surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

08 Prior to the commencement of the development hereby permitted detailed information (in the form of SAP design stage data and a BRE water calculator) demonstrating that the dwelling shall meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these findings.

08 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.

09 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 shall meet the equivalent of Code 4 standard for energy and water (as defined by the ENE1 and WAT 1 in the Code for Sustainable Homes) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these findings.

09 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.

10 The hedgerow identified on drawing no: TSP-KC/BRAMBLE/001 shall be retained and maintained at a minimum height of 2 metres in good condition and where necessary reinforced with appropriate species to be agreed in writing with the Local Planning Authority. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

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

11 A new hedgerow shall be planted and established along the northern boundary as shown on the approved plan drawing no: 2174/02 Rev.A. The plants shall be a staggered row with 600mm between rows and planted at 600mm centres. Species shall be a native mix unless otherwise agreed in writing with the Local Planning Authority. The new planting shall be completed before the end of the first planting season following the completion of the development hereby permitted.

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

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that order, with or without modification), no windows other than those expressly authorised by this permission shall, at any time, be constructed in the north-west and south-east elevation(s) of development hereby permitted.

12 Reason: To protect the amenity and privacy of the adjoining residential properties.

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

2174-02 Rev. A - Site plan  
2174-03 Rev. A - House and Garage Floor Plans  
2174/04 Rev. A - South elevations  
2174-05 Rev. A - North elevations  
2174/06 - Garage Elevations

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

### **Informatives**

01. 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 and the Agent was updated of any issues.

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

Local Plan Part 1 - Joint Core Strategy: CP1, CP2, CP11, CP13, CP14. CP20  
Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM16, DM17, DM18, DM24  
High Quality Places SPD  
Parking Standards SPD Manual for Streets.

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03. 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.

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. 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-ofconsiderate-practice>

06. 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.

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

The application case number

Your contact details

The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - [www.winchester.gov.uk](http://www.winchester.gov.uk).

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