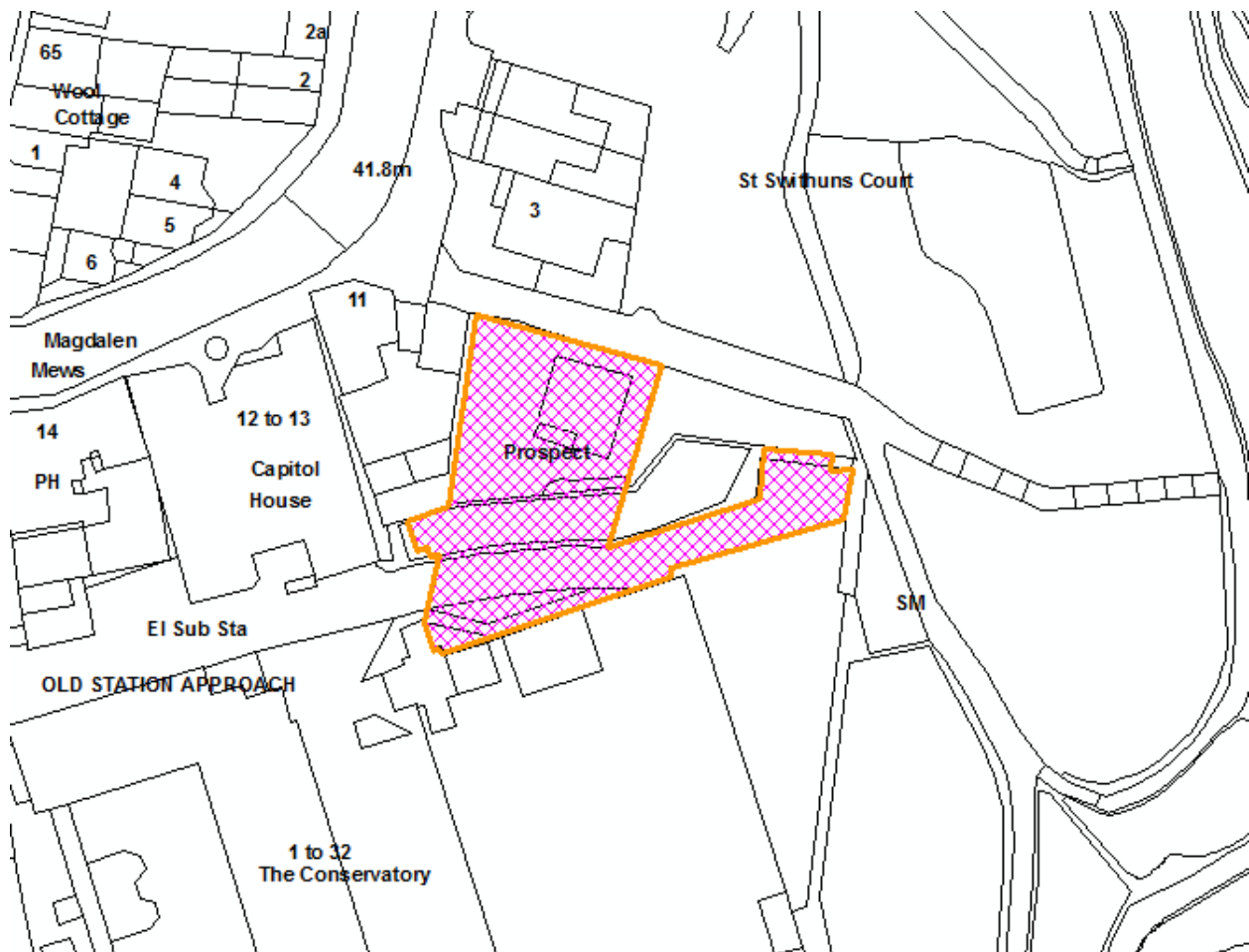


WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Case No:** 19/00815/FUL  
**Proposal Description:** Proposed development of 3x3 bed dwellings an 1x2 bed dwelling following the removal of Prospect House.  
**Address:** Prospect House 15 Magdalen Hill Winchester SO23 0HJ  
**Parish, or Ward if within Winchester City:** St Michael  
**Applicants Name:** Mr Kevan Netherwood  
**Case Officer:** Mrs Megan Osborn  
**Date Valid:** 9 April 2019  
**Recommendation:** Application Refused



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Case No: 19/00815/FUL

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**General Comments**

**Application is reported to Committee due to the number of support representations, received.**

**Site Description**

The proposed site is located off Bridge Street at the end of a public footpath to St Giles Hill. It is located within the City centre of Winchester, and within Winchester's Conservation Area.

The building is located on a pedestrian lane in an area which contains many older properties, including nearby Grade II listed building, the Rising Sun freehouse, the Grade II listed building the Chesil Rectory and St Johns Church (the oldest parish church in Winchester) to the north.

The buildings surrounding the proposed site includes a mixture of residential and commercial properties, with a mixture of architectural designs.

The site fronts on to the public footpath to the north and has a group of trees within the site to the south of the dwelling.

**Proposal**

The proposal is for the demolition of the existing dwelling on the site and replacement with four dwellings, 3x3 bed and 1x2 bedrooms.

**Relevant Planning History**

89/01846/OLD - Single storey extensions. PER 14th March 1989.

**Consultations**

Engineers: Drainage:

No objections

Engineers: Highways:

Comment regarding the parking, access and cycle storage.

Head of Historic Environment:

Objections due to the loss of a building in the Conservation area and the loss of a historical asset.

Urban Design:

No further information as been submitted to address my previous concerns, which related to how the scheme relates to its setting from distant views such as from Bridge Street; and, by that, demonstrate how the proposed roof form and materials make a positive contribution to local character and distinctiveness. And how the application was to ensure that the proposal does not adversely affect the adjacent buildings in terms of overshadowing and/or overlooking. In the absence of these details it is advised the application should be refused due to insufficient information.

Head of Landscape:

Concerns raised regarding the siting under the trees.

Southern Water:

No objections.

**Case No: 19/00815/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

**Representations:**

City of Winchester Trust: Objection – The application does not provide justification for the demolition of Prospect House also the proposed dwellings are not regarded as an acceptable development in the architectural character of the Conservation Area. There are specific concerns regarding the large black white wall at the top of the terrace. The Trust also has concerns relating to the existing trees on the site and their survival rate if this application were allowed.

19 representations, objecting to the application for the following reasons:

- This is an historical building within a Conservation Area and the demolition should be refused.
- The proposed dwelling would result in overbearing and overshadowing.

6 representations, supporting the proposal for material planning reasons including:

- Sustainable location
- The dwellings are needed in Winchester City Centre

**Relevant Planning Policy:**

Local Plan Part 1 - Joint Core Strategy

CP2, CP3, CP13, CP16, CP20

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations:

DM15, DM16, DM17, DM23, DM24, DM26, DM27, DM28, DM31

National Planning Policy Guidance/Statements:

National Planning Policy Framework

**Planning Considerations**

Principle of development

The site is located within the development boundary of Winchester where the principle of new dwellings in this area is acceptable subject to meeting Development plan policy.

The site is located within Winchester's Conservation Area, the principle of demolition of this dwelling is considered unacceptable in relation to policy CP20 of the LPP1 and DM27, DM28 and DM31 of the LPP2 in that it results in the loss of a non designated Heritage Asset in the Conservation Area.

The proposal is for four dwellings, 3x3 bed and 1x2 bedrooms which is compliant with policy CP2 which requires the majority of homes to be in the form of 2 and 3 bedroom houses.

Design/layout

The existing dwelling is a single property located to the north of the site fronting onto the footpath to the north of this leading up the St Giles Hill. The site is well vegetated with trees within the site that form part of the character of this site. The proposed dwellings are contemporary nature with render and timber cladding at first floor level and brick at ground floor. The four dwellings step up the hill with the existing slope with access to

**Case No: 19/00815/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

the dwellings through the existing brick and flint wall to the north. Although a contemporary approach for this site could be acceptable, the design and appearance of the proposed replacement dwellings is considered unacceptable with insufficient analysis having been undertaken which would inform the approach to be taken. The front elevation detailing is incongruous in the area failing to respond or contribute to the special qualities of the Conservation Area or what is locally distinctive.

The proposed buildings are built very close to the pathway named Magdalen Hill, resulting in an oppressive form of development, and crammed on to the site with no space surrounding the building to the east. The applicant owns the section of land to the east but that is not included in the red line of the application. There is a level change to the east, which would result in a significant retaining wall being needed to the east or the buildings being built up. There is a series of fences proposed perched up high on a bank for the garden areas. This would add to the cramped nature of the site and is a poor response to the topography. The cramped nature of the site is further accentuated by the trees to the rear of the site, which would result in a significant amount of overshadowing over the rear gardens of the proposed dwellings on this site.

When looking at the eastern elevation, this shows a large blank elevation of white render with no articulation, which would result in an unattractive feature in the Conservation Area. In addition to this the roof form of the proposed dwelling will appear visually unacceptable in relation to the views of the site from the east and the west. Neither views have been assessed fully in a contextual analysis of the area especially from wider view points such as Bridge Street and from views from surrounding areas in St Giles Hill. Reason for refusal 3 is therefore recommended to reflect this.

Impact on character of area

Prospect House, 15 Magdalen Hill is an unlisted building located in a prominent position in the middle of the St Giles Hill / Eastern Suburb area of the Winchester Conservation area. Although unlisted, the building is a good surviving example of a Victorian station masters cottage and it makes a positive contribution to the Winchester Conservation area. The building is also of sufficient quality in terms of its architectural and historic interest and contribution to the Conservation Area to be considered to be a non-designated heritage asset which is a material planning consideration as defined in NPPF.

Prospect House is constructed in brick under a clay tiled roof. The building has a number of attractive decorative features, such as a dentil string course between the first ground and first floors, rounded brick arches to the windows on the ground floor and a prominent decorative corbeled barge boards to the eastern and western elevations. The boundary wall to the front of the building is an attractive brick and flint wall and also makes a positive contribution to the overall character of the Conservation Area. The building is located in an a part of the Conservation Area that marks the transition between the more urban feel of the area around Bridge Street and Chesil Street and the more verdant feel of the St Giles Hill area and the building makes almost acts as a gateway between the two areas and makes an important contribution to the streetscape.

In addition this application results in the loss of sections of the historic wall to the front of the site, which also forms part of the character of the Conservation Area. The puncturing of this wall would result in irreversible damage to the wall for which it forms part of the character of the area.

**Case No: 19/00815/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

In addition, the building has historic associations with the now closed Didcot, Newbury and Southampton Railway. It was the original station masters house for Winchester Cheesehill (Chesil) Station that opened in 1885 as part of the second phase of the construction of that particular railway. Buildings associated with this particular railway line are rare as the line itself was never a commercial success and closed completely in 1960, well before the publication of Beeching's "The Reshaping of the British Railways".

The existing building is considered to be a non-designated heritage asset both in terms of its architectural and historic importance and its historic associations. In addition, the building makes a positive contribution to the streetscape and the overall character of the Winchester Conservation area. Consequently, it is recommended that the current application be refused as it will cause harm to the character of the non-designated heritage asset and the overall character of the Conservation Area and is at odds with both local and national planning guidance.

NPPG Historic Environment para 019 notes that if an unlisted building that makes a positive contribution to a Conservation Area is important or integral to the character or appearance of the Conservation Area then its proposed demolition is more likely to amount to substantial harm to the Conservation Area, engaging the tests in paragraph 195 of the National Planning Policy Framework. The justification for a building's proposed demolition will need to be proportionate to its relative significance and its contribution to the significance of the Conservation Area as a whole. The proposal is therefore recommended for refusal reason 01 in line with para 195 of NPPF, and LPP2 DM28 and DM31 as the proposal will lead to substantial harm of the Conservation Area as Heritage Asset and the total loss of significance of an undesignated heritage asset. It has not been demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Impact on neighbouring property

Although the windows have been designed to avoid any overlooking towards neighbouring properties, the new dwellings may result in an unneighbourly impact in terms of overbearing and overshadowing towards neighbouring amenities to the north. The proposed dwellings are moving closer than the existing dwelling and although the height of the dwellings are no more than the existing, the previous dwelling had a sloping roof which sloped away from St Swithuns Court to the north. These dwellings project right up to the front of the plot with no roof sloping away and therefore the proposal will have a high potential to have an overbearing and over shadowing impact. No sections or sunlight surveys relating to the area have been submitted as part of the application but it is considered that the proposed building will result in a materially harmful impact on the amenities of the neighbouring properties to the north in terms of overbearing and overshadowing.

Landscape/Trees

Trees are important elements of green infrastructure and are a material consideration of the UK planning system. The site is within a Conservation Area and therefore the trees are protected by virtue of being in a Conservation Area.

There are number of large, notable, mature trees located on southern boundaries. Trees are naturally growing and shedding organisms. Leaves of some species can cause problems, particularly in the autumn, by blocking gullies and gutters. Fruit can cause slippery patches, and accumulation of honeydew can be damaging to surfaces

**Case No: 19/00815/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

and vehicles.

The pedestrian access and gardens to the rear of the dwellings do not respond well to the site and is likely to lead to future pressure to prune or remove trees which make a positive contribution and offer amenity to the local landscape. This is contrary to core planning principals (section 17) of the National Planning Policy Framework which seeks to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings. Accordingly the proposal would be contrary to criteria (v) of policy DM15 of the adopted Winchester District Local Plan Part 2, 2017.

#### Highways/Parking

Although this is a sustainable location it is considered that the proposal doesn't meet the City Council's Residential Parking Standards and notwithstanding this, the parking spaces that are provided (4 spaces to the rear of the proposed houses) are inconvenient and unsafe for uses of the dwellings to assess. The proposed parking is to the rear of the proposed dwellings on land which is dark and due to the significant level changes surrounding it. Residents of the dwellings would have to access the parking via a convoluted pathway with steps up the bank towards the four dwellings and therefore would result in a very inconvenient access to the parking area. The poor location for the proposed parking further demonstrates that the dwellings cannot be properly accommodated on the site especially as it a sloping site. Reason for refusal 6 recommends refusal on this matter.

#### Nitrate levels

This application results in a surplus nitrate level and there is no mitigation possible, however as this application is recommended for refusal then no mitigation is required if the new housing is not permitted.

#### Archaeology

The proposal site lies towards the foot of St Giles Hill, within the historic eastern suburb of Winchester. Although the site lies to the east of the area of the Roman cemetery, it is close to the East Gate of the Roman town and to previously identified Roman remains in the eastern suburb; these include several Roman pits, at least one possibly a lime kiln found to the south of the site.

The eastern suburb also contains evidence for Late Saxon occupation and activity and several high status medieval buildings are located on Magdalen Hill. Three 19th century clay pipe kilns have also recently been excavated to the west of the proposal site. Further information on these and wider background to the proposal site are provided in an Archaeological Desk-Based Assessment (DBA) submitted as part of the application (Groundworks Archaeology, March 2019, Archaeological Desk Based Assessment Prospect House, Magdalen Hill, Winchester).

Given its location, the proposal site may contain buried archaeological remains, as concluded in Section 11 of the Archaeological DBA. Any such remains may be disturbed by groundworks associated with the proposal, arising from construction groundworks and related services, drainage and landscaping works).

Whilst this does not present an overriding concern, a programme of archaeological work to investigate, record analyse and subsequently report on the archaeological evidence that would otherwise be destroyed by the proposed development. Therefore if the

**Case No: 19/00815/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

application is refused the as suitable reason for refusal will need to be attached on the decision (reason 5).

Conclusion

In conclusion the alterations to the demolition of the existing building and the development of the site for four dwellings is considered to be unacceptable and therefore contrary to policy CP20 of the Winchester District Local Plan Part 1, policy DM27, DM28, DM31, DM15, DM16, DM17, DM18 of the Winchester District Local Plan Part 2 - Development Management and Site Allocations and SPD - High Quality Places.

**Recommendation**

Application Refused for the following reasons:

01 The proposed demolition of the building and puncturing of the front wall are contrary to paragraph 195 of the NPPF, Local Plan Part 2 policies DM28 and DM31, and CP20 of Local Plan Part One, in that it would lead to substantial harm of the Conservation Area as a Heritage Asset and the total loss of significance of a building, which has been determined to be an undesignated heritage asset contributing significantly to the character and appearance of the street scene of this part of the Conservation Area. It has not been demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

02 The development proposed is contrary to policies CP13 and CP20 of the Winchester District Local Plan Part 1, policies DM15, DM16, DM17, DM27 of the Winchester District Local Plan Part 2 and the Winchester District High Quality Places supplementary planning document in that, it fails to respond positively to the local environment through a contextual approach and would, by reason of its siting, size, height, scale, design and appearance, and loss of space to the front of the building, result in a form of development which would create a cramped and incongruous intrusion in the street scene. The proposal will therefore have a materially harmful impact on the character and appearance of the surrounding area, failing to conserve the special interest of the Conservation Area thereby leading to the substantial harm of it as a Heritage Asset.

03 The proposed development by reason of its proximity and relationship to the trees (protected by virtue of them being in a Conservation Area) to the south of the site would be likely to result in future pressure for the pruning of those trees to the detriment of their amenity value and the visual amenities of the surrounding area. It would therefore be contrary to policies CP20 of Winchester District Local Plan Part 1 and DM15 and DM24 of Winchester District local Plan Part 2.

04 In the absence of adequate information demonstrating the relationship between the proposed dwelling and the buildings opposite, the proposal is contrary to policy DM17 of the Winchester District Local Plan Part 2 in that the proposed replacement dwellings will likely result in an overshadowing and overbearing impact on the houses and amenity space of St Swithuns Court, to the detriment of their amenities.

05 The proposal fails to make provision for a programme of archaeological mitigation work which would ensure that information deriving from heritage assets present within the site is preserved for future generations in line with Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy and the NPPF.

**Case No: 19/00815/FUL**

WINCHESTER CITY COUNCIL  
PLANNING COMMITTEE

06 The proposal fails to provide sufficient, safe and accessible parking spaces for the proposed dwellings and therefore is contrary to policy DM18 of the Winchester Local Plan Part 2.

**Informatives:**

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.

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

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

Local Plan Part 1 - Joint Core Strategy CP2, CP3, CP13, CP16, CP20

Local Plan Part 2 - Joint Core Strategy: Development Management and Site Allocations:  
DM15, DM16, DM17, DM23, DM24, DM26, DM27, DM28, DM31