



Appeal Decision

Site visit made on 5 August 2019

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2019

Appeal Ref: APP/L1765/W/19/3226847

6 Valley Close Colden Common, Winchester SO21 1UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Adam Reid, Coeden Helyg Limited against the decision of Winchester City Council.
 - The application Ref 18/01809/FUL, dated 26 July 2018, was refused by notice dated 1 November 2018.
 - The proposal is development of a single dwelling on the land adjacent to No 6 Valley Close.
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Decision

1. The appeal is allowed and planning permission is granted for the development of a single dwelling on the land adjacent to No 6 Valley Close, Colden Common SO21 1UN, in accordance with the terms of planning application, Ref 8/01809/FUL, dated 26 July 2018 and subject to the planning conditions in the schedule attached to this decision.

Main Issue

2. The effect on the character and appearance of the area.

Reasons

3. The new dwelling would be aligned to extend a run of 3 similar sized detached dwellings and would broadly follow the existing general building line and spacing of dwellings alongside this part of Valley Close. The front of the dwelling would face a footpath which runs directly alongside a watercourse. Road access would be provided to the side of the new dwelling which faces the turning head of Piping Close. Two parking spaces would be provided to the side of the new dwelling accessed by a new crossover onto Piping Close.
4. Two existing garages serving 5 and 6 Valley Close lie beyond the rear garden of the new dwelling and will be retained. These separate the new dwelling from the closest property on Piping Close. These garages each have additional parking on their respective driveways onto Piping Close. The east-facing side of the new dwelling faces the properties on the opposite side of Piping Close with existing trees on a small area of open land adjacent to the turning head, providing some screening of views to the appeal site. Although the new dwelling would step beyond the building line of existing dwellings on the eastern side of Piping Close it is at a lower level and separated by the existing garages. The new dwelling continues the immediate general building pattern to the north of watercourse on Valley Close.

5. There is no dispute between the appellant and the LPA on the principle of residential development in Colden Common. The LPA's concerns focus on overdevelopment of the site leading to a cramped form of development due to the layout, design and siting of the building.
6. I note that the size of the new dwelling, the amount of amenity space to be provided, and gable end design are all broadly similar to the 3 neighbouring detached dwellings on Valley Close and some of the properties on Piping Close. In my view the proposal would be reasonable within its context and does not represent overdevelopment of the site.
7. The elevations of the new dwelling would be timber clad at first floor level and above, which would contrast to the immediately neighbouring properties, although timber cladding is a feature of the upper gables on some properties on Piping Close. In any event, there is some variety in building design in the area and I can see no reason why this should not be permitted since it would add variety and interest to the street scene.
8. Accordingly, I do not consider that the appeal proposal will have a harmful impact on the character and appearance of the area and consider that it would be consistent with Policy DM16 of the Winchester District Local Plan Part 2 (2017) which aims to ensure new development responds positively in terms of design, scale and layout to the character and appearance of the area in which it is located.

Other Matters

9. The impact on parking locally is an issue raised by a number of consultation responses. I note, however, that the Council's Highways Engineer has raised no objections to the proposal and considers that the level of provision provided on-site fully accords with adopted parking policies. The engineer also points out that the introduction of an access onto the turning head on Piping Close will help manoeuvrability for vehicles wishing to turn around. Based on what I have seen and read, I also consider that the arrangements for parking and access would be satisfactory.
10. Concerns over foul and surface drainage have been raised during consultation and it would be appropriate for these to be dealt with by way of a condition.

Conditions

11. The Council has suggested a number of planning conditions within the Officer's report and its appeal statement which I have considered against the advice in the Planning Practice Guidance. As a result, I have amended some of the conditions for clarity.
12. In addition to the standard 3-year time limitation for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans and details in the interests of certainty. This includes biodiversity matters.
13. Conditions requiring details of materials as well as boundary landscaping are appropriate in respect of character and appearance. Conditions relating to the treatment of an existing window on No 6 and a window on the proposed dwelling are required in the interests of the living conditions of residents.

14. A condition requiring the submission of a scheme of foul and surface water disposal is appropriate in the interests of proper site drainage. These details should be submitted and approved at the pre-commencement stage so that all appropriate drainage and sewerage measures can be assessed at an early stage and none ruled out by ground works, building operations or associated infrastructure.
15. A condition to deal with unforeseen contamination is required to ensure that risks to residents and property are minimised. A condition in relation to water and energy efficiency measures is necessary in the interests of sustainability. A condition in respect of the provision and retention of car parking is required in the interests of highway safety. Conditions in relation to the times of construction and deliveries are appropriate in the interests of the living conditions of nearby residents.

Conclusion

16. I conclude that the proposal would not be harmful to the character and appearance of the area. I hereby allow this appeal and grant planning permission subject to conditions.

David Carter

INSPECTOR

Schedule of Conditions (12 in total)

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby approved shall be constructed in accordance with the following plans and details:

Location plan (Drawing Number: 7401/LO1 Revision A)
Proposed site plan (Drawing Number: 7401/DO1 Revision B)
Proposed floor plans (Drawing Number: 7401/DO2 Revision A)
Proposed elevations (Drawing Number: 7401/DO3 Revision B)
Ecological Assessment, Peach Ecology, Report Number: 0206, Issue Number: 02.
- 3) No development above slab level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4) Detailed proposals for the disposal of foul and surface water and works to existing drainage infrastructure 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 development is brought into use.
- 5) Prior to the commencement of development hereby permitted detailed information demonstrating that the dwelling meets the Code 4 standard for energy and water (as defined by the ENE1 and WAT1 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.
- 6) Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless otherwise agreed in writing with the Local Planning Authority. Works shall not recommence before a site assessment has been undertaken and details of the findings along with details of any remedial action required (including timing provision for implementation), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be completed other than in accordance with the approved details.
- 7) The first-floor windows within the east elevation of existing property no 6 Valley Close shall be removed and bricked up with materials matching the existing dwelling house prior to the occupation of the proposed development.
- 8) Details of the boundary hedge and tree planting shall be submitted to and approved in writing by the Local Planning Authority prior to occupation. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the

next planting season, unless the Local Planning Authority gives its written consent to any variation.

- 9) The two parking spaces and associated dropped kerb shall be implemented before the proposed development is first brought into use. The parking spaces hereby approved shall thereafter be retained in this condition at all times.
- 10) The first-floor window in the West elevation of the proposed dwelling house hereby permitted shall be glazed with obscure glass which achieves an obscuration level at least equivalent to Pilkington Obscure Glass Privacy Level 4, unless otherwise agreed in writing by the local planning authority, and the glazing shall thereafter be retained in this condition at all times.
- 11) No work relating to the construction of the development hereby approved, including works of preparation prior to operations, or fitting out, shall take place before the hours of 0800 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public or bank holidays.
- 12) No deliveries of construction materials or plant and machinery and no removal of any waste from the site shall take place before the hours of 0800 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public or bank holidays.

End of Schedule